

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FORTY-FOURTH DAY'S PROCEEDINGS

**Thirty-second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, June 14, 2006

The House of Representatives was called to order at 10:00 A.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker

Downs
Durand
Erdey
Fannin
Total - 103

Marchand
Martiny
McDonald
McVea

Walsworth
White

ABSENT

Winston
Total - 2

Wooton

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Father Michael J. Moroney.

Pledge of Allegiance

Rep. Katz led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Kleckley, the reading of the Journal was dispensed with.

On motion of Rep. Honey, and under a suspension of the rules, the Journal of June 12, 2006, was corrected to reflect him as voting yea on final passage of Senate Bill No. 645.

On motion of Rep. Alexander, the Journal of June 13, 2006, was adopted.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 125—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute the study the potential legal effects of granting recognition in full faith and credit or comity to the judgments of Indian tribal courts in this state, and to report its findings to the Louisiana Legislature prior to February 1, 2007.

Read by title.

Rep. Bruneau sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Original Senate Concurrent Resolution No. 125 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "direct" and insert "urge and request"

AMENDMENT NO. 2

On page 2, line 24 at the beginning of the line delete "direct" and insert "urge and request"

On motion of Rep. Bruneau, the amendments were adopted.

On motion of Rep. Bruneau, and under a suspension of the rules, the resolution as amended was concurred in.

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SENATE CONCURRENT RESOLUTION NO. 127— BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the practicality and feasibility of enrolling clinical social workers as providers in the Louisiana medical assistance program.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 128— BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 19 of the Joint Rules of the Senate and the House of Representatives, relative to time limitations in the consideration of the General Appropriations Bill; to provide for periods of deliberation regarding such bill in the Senate; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the resolution was returned to the calendar.

SENATE CONCURRENT RESOLUTION NO. 129— BY SENATOR SCHEDLER AND REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To commend the humanitarian efforts of the citizens of the United States of America and of the nations around the world who contributed to the rescue and recovery of this state after the devastation resulting from hurricanes Katrina and Rita; to express the heartfelt and unceasing gratitude of those affected by the tragedy; to convey the sentiment that "Louisiana Thanks You!" for each and every act of kindness bestowed upon the state; and to extend an open invitation to come experience, firsthand, Louisiana's hospitality and renewal.

Read by title.

On motion of Rep. Walsworth, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 132— BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To recognize the achievements of Curtis T. Johnson, Sr. and to express the sincere condolences of the Legislature of Louisiana to his family upon his passing.

Read by title.

On motion of Rep. Gary Smith, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 133— BY SENATOR BAJOEI

A CONCURRENT RESOLUTION

To commend Antoine Dominique "Fats" Domino for his exceptional and unique rock 'n roll singing style and to designate June 19, 2006, as "Fats" Domino Day in Louisiana.

Read by title.

On motion of Rep. Karen Carter, and under a suspension of the rules, the resolution was concurred in.

House and House Concurrent Resolutions

Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 31— BY REPRESENTATIVE HEBERT

A RESOLUTION

To amend and readopt House Rule 6.4(A) and (B) of the Rules of Order of the House of Representatives to provide for the composition of the Committee on Appropriations.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered engrossed and passed to its third reading.

HOUSE RESOLUTION NO. 95— BY REPRESENTATIVE ARNOLD

A RESOLUTION

To amend and readopt House Rule 7.19(E) of the Rules of Order of the House of Representatives to provide that a motion to designate a Senate bill a duplicate is debatable.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered engrossed and passed to its third reading.

HOUSE RESOLUTION NO. 99— BY REPRESENTATIVE WALKER

A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to conduct a study and make recommendations concerning designating the Department of Culture, Recreation and Tourism as a charter agency as a pilot program to determine the potential effectiveness and benefits of establishing a charter agency program and the ideal components of such a program.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Resolution No. 99 by Representative Walker

AMENDMENT NO. 1

On page 1, line 2, change "Municipal, Parochial and Cultural Affairs" to "House and Governmental Affairs"

AMENDMENT NO. 2

On page 2, line 27, after "Committee on" delete the remainder of the line and on line 28, delete "Parochial and Cultural Affairs" and insert "House and Governmental Affairs"

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered engrossed and passed to its third reading.

HOUSE RESOLUTION NO. 102—
BY REPRESENTATIVES FANNIN AND WALSWORTH
A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, relative to the calculation in the minimum foundation program formula of the local school system wealth factor, to develop, adopt, and submit to the legislature for its approval and funding minimum foundation program formulas, beginning with the formula for the 2007-2008 school year, that exclude from the calculation of the local system's property tax revenue capacity and sales tax revenue capacity any such revenues that are the result of a court-ordered settlement agreement until such funds are actually included in the school system's operating budget for any particular year and provide further that only one-third of any such budgeted amount shall be recognized for the purposes of calculating the system's local wealth factor; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the resolution was ordered engrossed and passed to its third reading.

HOUSE RESOLUTION NO. 103—
BY REPRESENTATIVES FANNIN, BADON, BARROW, CHANDLER, CROWE, DOWNS, KENNEY, M. POWELL, T. POWELL, RITCHIE, TRAHAN, WALKER, AND WALSWORTH
A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, in considering issues relative to the minimum foundation program formula, especially any considerations relative to the local wealth factor component of the formula, to solicit requests for proposals from a broader field of candidates with expertise in the area of school finance and to submit a written report on the status of such solicitations to the House Committee on Education prior to the convening of the 2007 Regular Session.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the resolution was ordered engrossed and passed to its third reading.

HOUSE RESOLUTION NO. 105—
BY REPRESENTATIVE BALDONE
A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to study the feasibility of establishing a standing committee on coastal protection and restoration and, if it is determined to be feasible, to recommend the subject matter jurisdiction of such committee.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Resolution No. 105 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line, delete lines 3 through 20, and on page 2, delete lines 1 through 20, and insert the following:

"urge and request the House Committee on House and Governmental Affairs to study the feasibility of establishing a standing committee on coastal protection and restoration and, if it is determined to be feasible, to recommend the subject matter jurisdiction of such committee.

WHEREAS, it has been proposed that the House of Representatives establish an eighteenth standing committee with subject matter jurisdiction in the areas of coastal protection and restoration; and

WHEREAS, it has been proposed that such committee have subject matter jurisdiction which would include: (a) tidelands; (b) construction, improvements, and maintenance of waterways, lakes, and streams in coastal parishes; (c) facilities in connection with lakes, waterways, and streams in coastal parishes; (d) levee districts in coastal parishes; (e) public works in connection with construction, improvement, and maintenance of waterways, lakes, and streams in coastal parishes; and (f) coastal restoration, hurricane protection, and flood control in coastal parishes; and

WHEREAS, the House Committee on Natural Resources currently has subject matter jurisdiction of tidelands and accretion, alluvion, and dereliction of public and private lands; and

WHEREAS, the House Committee on Transportation, Highways and Public Works currently has jurisdiction of construction, improvements, and maintenance of waterways, lakes, and streams; facilities in connection with lakes, waterways, and streams; levee districts; public works; and flood and drainage projects.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the House Committee on House and Governmental Affairs to study the feasibility of establishing a standing committee on coastal protection and restoration and, if it is determined to be feasible, to recommend the subject matter jurisdiction of such committee.

BE IT FURTHER RESOLVED that the committee shall make a written report of its findings and recommendations to the speaker of the House of Representatives on or before March 1, 2007."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered engrossed and passed to its third reading.

HOUSE RESOLUTION NO. 106—
BY REPRESENTATIVE GRAY
A RESOLUTION

To request the House Committee on Municipal, Parochial and Cultural Affairs to study and make recommendations relative to issues related to the use of inclusionary zoning by parishes and municipalities, the effects of inclusionary zoning on the development of affordable housing for low and moderate income families, and the content of ordinances providing for inclusionary zoning and to report its findings to the House of Representatives prior to the 2007 Regular Session.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

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HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Resolution No. 106 by Representative Gray

AMENDMENT NO. 1

On page 1, line 3, after "recommendations" delete the remainder of the line and delete lines 4 and 5 and at the beginning of line 6 delete "ordinances" and insert the following:

"relative to issues related to the use of inclusionary zoning by parishes and municipalities, the effects of inclusionary zoning on the development of affordable housing for low and moderate income families, and the content of ordinances providing for inclusionary zoning"

AMENDMENT NO. 2

On page 1, line 10, after "families" delete the remainder of the line and delete lines 11 through 13 and insert a semicolon ";," and "and"

AMENDMENT NO. 3

On page 2, delete lines 14 through 17

AMENDMENT NO. 4

On page 2, at the end line 22, delete "through" and on line 23, delete "inclusionary zoning"

AMENDMENT NO. 5

On page 2, delete lines 24 through 28

AMENDMENT NO. 6

On page 3, line 8, after "legislature to" delete the remainder of the line and delete lines 9 through 12 and insert the following:

"study inclusionary zoning and the potential use of inclusionary zoning by parishes and municipalities to promote the development of affordable housing for low and moderate income families."

AMENDMENT NO. 7

On page 3, line 15, after "recommendations" delete the remainder of the line and delete lines 16 through 18 and insert the following:

"relative to issues related to the use of inclusionary zoning by parishes and municipalities, the effects of inclusionary zoning on the development of affordable housing for low and moderate income families, and the content of ordinances providing for inclusionary zoning."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered engrossed and passed to its third reading.

Senate Concurrent Resolutions Reported by Committee

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 105—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the secretary of state to determine the practical and legal needs that must be taken to enable eligible voters displaced by a declared disaster to have the opportunity to vote on election day at locations in the state other than in the parish in which they are registered for all elections to be conducted in the parish in which the voter is registered, whether state, local, or federal elections.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 117—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To create the Louisiana Sentencing Practices Commission to study the current and history of sentencing practices of the state and make a report of its findings, together with any recommendations for changes in legislation, to the Louisiana Legislature no later than April 1, 2007.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 117 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and at the beginning of line 3 delete "of" and insert "to request the Senate Committee on Judiciary C and the House Committee on Administration of Criminal Justice to meet and function as a joint committee to study issues related to the rate of incarceration in the state and fiscal issues related to the rate of incarceration, and to examine the history of and current"

AMENDMENT NO. 2

On page 1, line 16, after "Louisiana" delete the remainder of the line and delete lines 17 and 18 and insert the following:

"does hereby request the Senate Committee on Judiciary C and the House Committee on Administration of Criminal Justice to meet and function as a joint committee to study issues related to the rate of incarceration in the state and fiscal issues related to the rate of incarceration, and to examine the history of and current sentencing practices of the state and to report its findings to the"

AMENDMENT NO. 3

On page 2, line 2, after "that the" delete the remainder of the line and insert "joint committee shall specifically solicit the input, recommendations, and advice of the"

AMENDMENT NO. 4

On page 2, delete lines 6 through 30 and on page 3, delete lines 1 and 2 and insert the following:

"(3) The secretary of the Department of Public Safety and Corrections, or his designee.

(4) The deputy secretary for youth services of the Department of Public Safety and Corrections, or his designee.

(5) Two judges designated by the chief justice of the Louisiana Supreme Court.

(6) The president of the American Bar Association, or his designee.

(7) The president of the Louisiana State Bar Association, or his designee.

(8) The president of the Louisiana Public Defender's Association, or his designee.

(9) The president of the Louisiana District Attorney's Association, or his designee.

(10) A private citizen, designated by the governor."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 121—
BY SENATORS HINES AND JONES AND REPRESENTATIVES SALTER AND BRUNEAU

A CONCURRENT RESOLUTION
To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives relative to the limitations on the filing and consideration of matters intended to have the effect of law and certain amendments thereto during regular sessions held in odd-numbered years.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered passed to its third reading.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 5—
BY SENATOR CAIN

AN ACT
To enact R.S. 51:1425, relative to unfair or deceptive acts or practices; to prohibit certain disclosures by an Internet service provider; to provide for notices; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 5 by Senator Cain

AMENDMENT NO. 1

On page 1, delete lines 9 through 17 and insert the following in lieu thereof:

"A. A violation of the Stored Communications Act, Section 2701 et seq. of Title 18 of the United States Code, by a provider of Internet service involving information relating to a resident of Louisiana shall constitute a deceptive and unfair trade practice."

AMENDMENT NO. 2

On page 2, delete lines 1 through 14

AMENDMENT NO. 3

On page 2, line 15 change "C." to "B."

AMENDMENT NO. 4

On page 2, line 18, change "D." to "C."

AMENDMENT NO. 5

On page 2, delete lines 21 through 23

AMENDMENT NO. 6

On page 2, line 24 change "F." to "D."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 73—
BY SENATOR LENTINI AND REPRESENTATIVE ANSARDI
AN ACT

To enact R.S. 13:5108.3(D), relative to the legal representation of state employees; to provide for representation and indemnification of officers and employees charged with contempt of court; to provide for exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Ansardi, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 155—
BY SENATORS MARIONNEAUX, AMEDEE AND FONTENOT
AN ACT

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.81 through 9039.86, relative to the creation of the Louisiana Capital Area Economic Development Alliance (LACAEDA) Film Commission; to create the Louisiana Capital Area Economic Development

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Alliance (LACAEDA) Film Commission; to provide for the purposes, powers, duties, functions, and responsibilities of the commission; to appoint a film commissioner/executive director; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 155 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 10, after "Ascension," delete "East Baton Rouge,"

AMENDMENT NO. 2

On page 2, line 29, after "LACAEDA" insert "representative"

AMENDMENT NO. 3

On page 3, line 19, after "within the" delete "nine" and insert "eight"

AMENDMENT NO. 4

On page 3, line 20, after "Ascension," delete "East Baton Rouge,"

AMENDMENT NO. 5

On page 6, line 5, after "state" and before "agencies" insert "and local"

AMENDMENT NO. 6

On page 6, after line 15 insert the following:

"D. The commission shall work and cooperate with the Baton Rouge Film Commission in carrying out the purposes of this Chapter."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 486— BY SENATOR JACKSON

AN ACT

To enact R.S. 39:2(49) and 36(A)(6), relative to the contents and format of the executive budget; to provide for certain comparative statements; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

Rep. Alario moved the bill be ordered passed to its third reading.

As a substitute motion, Rep. Hammett moved that the bill otherwise be referred to the Committee on Ways and Means.

Rep. Karen Carter objected.

The vote recurred on the substitute motion.

By a vote of 53 yeas and 24 nays, the House agreed to recommit the bill to the Committee on Ways and Means.

SENATE BILL NO. 496—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 29:422(D), relative to military affairs; to provide for enforcement of Servicemembers Civil Relief Act by the attorney general of Louisiana; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 496 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 29:12 and to" and after "affairs;" and before "to provide" insert "to provide with respect to the appointment of adjutant generals"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." and before "R.S. 29:422(D)" insert "R.S. 29:12 is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"§12. Assistant adjutants general

The adjutant general shall appoint an assistant adjutant general for the army national guard and an assistant adjutant general for the air national guard. Each assistant adjutant general shall hold the rank of brigadier general, shall have been a citizen of the state and a member of the respective national guard component to which he is appointed assistant adjutant general for at least three years immediately prior to his appointment, and shall have attained as a minimum the federally recognized rank of lieutenant colonel qualified for federal recognition as colonel. Officers nominated for promotion to brigadier general in the position of assistant adjutant general for army national guard or air national guard must qualify for that grade before a federal board as provided in R.S. 29:15(A). Officers failing to so qualify will vacate the position of assistant adjutant general. Nothing contained in this Title shall preclude the appointment of such additional generals or assistant adjutant generals with requisite qualifications to positions and ranks as authorized.

* * *

Reported without amendments by the Legislative Bureau.

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 607—

BY SENATORS FONTENOT, ADLEY, BOASSO, CRAVINS, DARDENNE,
N. GAUTREAUX, HOLLIS AND QUINN AND REPRESENTATIVES
HEBERT, RICHMOND, JACK SMITH AND TRICHE

AN ACT

To amend and reenact R.S. 29:726(E)(20), 729(E)(13), and 733.1 and to enact R.S. 29:726(E)(21) and 729(E)(14), relative to emergency preparedness; to provide additional authorities and responsibilities to the office of homeland security and emergency preparedness and to parish homeland security and emergency preparedness agencies relative to a disaster operation plan for service animals and household pets; to provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter of household pets and service animals in emergencies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 607 by Senator Fontenot

AMENDMENT NO. 1

On page 2, line 2, after "with" delete the remainder of the line in its entirety and delete line 3 in its entirety and at the beginning of line 4, delete "technical personnel deemed appropriate, formulate" and insert in lieu thereof "parish homeland security and emergency preparedness agency authorities, assist in the formulation of"

AMENDMENT NO. 2

On page 2, at the end of line 6, delete "disaster that:" and insert in lieu thereof "disaster."

AMENDMENT NO. 3

On page 2, line 7, after "animals" and before "are" insert a comma "," and "as defined in the Americans with Disabilities Act,"

AMENDMENT NO. 4

On page 2, delete line 12 in its entirety and insert in lieu thereof "(ii)(aa) Assist in the identification of evacuation shelters and other state facilities that"

AMENDMENT NO. 5

On page 2, line 13, after "are" and before "designed" delete "in close proximity to a human sheltering facility"

AMENDMENT NO. 6

On page 2, line 14, delete "the household pets of evacuees" and insert "household pets"

AMENDMENT NO. 7

On page 2, delete line 16 in its entirety and insert in lieu thereof "(bb) Assist in the development of guidelines for such shelters which may"

AMENDMENT NO. 8

On page 2, delete line 24 in its entirety and insert in lieu thereof "(bb) The office shall coordinate the establishment of an identification system to enable"

AMENDMENT NO. 9

On page 2, line 26, after "evacuation" and before "to locate" delete "are provided with all information necessary"

AMENDMENT NO. 10

On page 2, delete lines 27, 28, and 29 in their entirety and insert in lieu thereof "such household pets."

AMENDMENT NO. 11

On page 3, delete line 1, in its entirety

AMENDMENT NO. 12

On page 3, line 8, after "pets" delete the remainder of the line, delete line 9 in its entirety and on line 10, delete "housed when such location is known"

AMENDMENT NO. 13

On page 3, line 12, after "agencies," and before "plans" delete "develop" and insert in lieu thereof "assist in the development of"

AMENDMENT NO. 14

On page 3, line 27, after "evacuations" change the comma "," to a period "." and delete the remainder of the line in its entirety and delete lines 28 and 29 in their entirety

AMENDMENT NO. 15

On page 4, delete lines 6 through 12 in their entirety and insert in lieu thereof "(b) Coordinate the development and establishment of requirements for the authorization and training"

AMENDMENT NO. 16

On page 4, delete lines 16 through 18 in their entirety

AMENDMENT NO. 17

On page 4, at the beginning of line 19, change "(e)" to "(c)"

AMENDMENT NO. 18

On page 5, line 2, after "safety," and before "other" delete "and"

AMENDMENT NO. 19

On page 5, line 3, after "appropriate," and before "formulate" insert "and the state office of homeland security and emergency preparedness,"

AMENDMENT NO. 20

On page 5, line 6, after "animals" and before "are" insert a comma "," and "as defined by the Americans with Disabilities Act,"

AMENDMENT NO. 21

On page 5, line 13, after "shelters" and before "designed" delete "that are in close proximity to a human sheltering facility"

AMENDMENT NO. 22

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On page 5, line 14, delete "the household pets of evacuees" and insert "household pets"

AMENDMENT NO. 23

On page 5, line 16, after "such" and before "shelters" delete "side by side"

AMENDMENT NO. 24

On page 5, line 27, after "pet," delete the remainder of the line in its entirety and delete lines 28 and 29 in their entirety

AMENDMENT NO. 25

On page 6, delete line 1 in its entirety

AMENDMENT NO. 26

On page 6, line 8, after "pets" delete the remainder of the line, delete line 9 in its entirety, and on line 10, delete "housed when such location is known"

AMENDMENT NO. 27

On page 6, line 17, after "for" and before "evacuation" delete "side by side"

AMENDMENT NO. 28

On page 7, line 1, after "evacuations" delete the comma "," and delete the remainder of the line in its entirety and delete line 2 and 3 in their entirety and insert a period "."

AMENDMENT NO. 29

On page 7, at the end of line 16, insert the following:

"Emergency operation plans created pursuant to this Paragraph shall be submitted to the state office of homeland security and emergency preparedness and to the Department of Agriculture and Forestry on an annual basis with the first of such plans to be submitted on or before August 1, 2006, and on or before March 1 of each year thereafter."

AMENDMENT NO. 30

On page 7, delete lines 28 and 29 in their entirety

AMENDMENT NO. 31

On page 8, delete line 1 in its entirety

AMENDMENT NO. 32

On page 8, at the beginning of line 2, change "(d)" to "(c)"

AMENDMENT NO. 33

On page 8, delete lines 23 through 25 in their entirety

AMENDMENT NO. 34

On page 8, at the beginning of line 26, change "Section 3." to "Section 2."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 607 by Senator Fontenot

AMENDMENT NO. 1

On page 3, line 26, change "animals, inform" to "animals and reform"

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 695—

BY SENATORS CRAVINS AND N. GAUTREAUX

AN ACT

To amend and reenact R.S. 27:392(C)(2) and to enact R.S. 27:361(B)(4)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to further the purposes of the Act by requiring payment of a fixed amount to establish a health and welfare plan for Louisiana jockeys; to provide for the distribution for the Greater New Orleans Sports Foundation Fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 695 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 27:392(B)(2)(b) and (C)(2), relative to the"

AMENDMENT NO. 2

On page 1, delete line 4, and insert "Act; to provide for the use of a portion of such monies to support functions of the Louisiana Racing Commission; to provide for the establishment of"

AMENDMENT NO. 3

On page 1, at the beginning of line 5, delete "establish"

AMENDMENT NO. 4

On page 1, line 9, change "R.S. 27:392(C)(2) is" to "R.S. 27:392(B)(2)(b) and (C)(2) are" and after "reenacted" delete the remainder of the line, delete line 10 in its entirety, and insert "to read as follows:"

AMENDMENT NO. 5

On page 1, delete lines 11 through 17 in their entirety and on page 2, delete lines 1 through 12 in their entirety, and insert the following:

"§392. Collection and disposition of fees and taxes

* * *

B.

* * *

(2)

* * *

(b)(i) Monies in the Gaming Control Fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely for the expenses of the board, the Department of Justice, ~~and the division, and the Louisiana Racing Commission~~ which are necessary to carry out the provisions of this Chapter. Monies in the fund remaining after appropriation for expenses of the board, the Department of Justice, ~~and the division, and the Louisiana Racing Commission~~ shall be credited as hereinafter provided in this Subsection.

(ii)(aa) The legislature does hereby find that in order to further the public policy of the state as expressed in R.S. 27:2 and 352, to provide for the continued viability of the horse racing industry in Louisiana, and to protect the revenues generated for the state and its local governments by that industry, including such revenues generated by the conduct of slot machine gaming at licensed eligible facilities, that it is necessary to establish a plan of health and disability insurance for Louisiana jockeys. The legislature further finds that establishing such a plan is a public purpose.

(bb) The Louisiana Racing Commission shall, out of monies specifically appropriated annually to the commission for purposes of supporting the health and welfare program for Louisiana jockeys, establish a plan for the provision of health and disability insurance for Louisiana jockeys. Such plan shall be administered by the Jockey's Guild, Inc. Such plan shall provide for a minimum contribution by the jockeys of twenty-five percent of the cost of the program. Any jockey who does not pay, or provide for payment of, such contribution shall be ineligible for participation in the plan. Notwithstanding any provision of this Paragraph to the contrary, no appropriation for purposes of this plan shall be taken from monies appropriated pursuant to House Bill No. 708 of the 2006 Regular Session for operations of the Louisiana Racing Commission."

AMENDMENT NO. 6

On page 3, delete lines 2 through 6 in their entirety, and insert the following:

"Section 2. This Act shall become effective on July 1, 2007."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 703—

BY SENATORS HEITMEIER AND MOUNT
AN ACT

To amend and reenact R.S. 33:4547.1(B), 4547.2(B) through (E), and 4547.3 and to enact R.S. 33:4547.1(C) and (D), 4547.2(F) through (H) and 4547.4, relative to performance-based energy efficiency contracts; to provide for award of certain performance-based energy efficiency contracts by political subdivisions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 703 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, lines 3 and 9, following "and (D)," and before "4547.2(F)" insert "and"

AMENDMENT NO. 2

On page 1, lines 3 and 9, following "(H)" delete "and 4547.4"

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**Senate Bills on Second Reading
Reported by Committee**

The following Senate Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

SENATE BILL NO. 204—

BY SENATORS CHEEK AND ELLINGTON
AN ACT

To amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C)(1) and (2) and to enact R.S. 11:248 and R.S. 33:2201(F), relative to financial security of survivors of certain firemen and law enforcement officers; to increase payments to surviving spouses and children in certain cases; to extend the period of time in which to notify the Law Enforcement Officers and Firemen's Survivor Benefit Review Board of such death; to provide for cost-of-living adjustments for surviving spouses of certain law enforcement officers; to provide for retroactive effect; and to provide for related matters.

Called from the calendar.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 204 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 1, after "To" and before "enact" delete "amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C)(1) and (2) and to"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "11:248 and R.S. 33:2201(F)," and insert "33:2581.1,"

AMENDMENT NO. 3

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On page 1, line 3, delete "survivors of"

AMENDMENT NO. 4

On page 1, line 4, after "firemen" insert a semi-colon ";" and delete the remainder of the line and delete lines 5 through 9 in their entirety and insert "to provide that the development of certain loss of hearing while employed in the classified fire service is an occupational disease; to provide for benefits to an affected employee; to create a rebuttable presumption that the hearing loss developed during employment under certain circumstances; to require certain persons appointed to the classified fire service to submit to certain examinations; and to provide for related matters."

AMENDMENT NO. 5

On page 1, line 12, after "Section 1." delete the remainder of the line and delete lines 13 through 17 in their entirety and delete pages 2 through 4 in their entirety and insert the following:

"R.S. 33:2581.1 is hereby enacted to read as follows:

§2581.1. Development of certain hearing loss during employment in the classified fire service; occupational disease

A. Any loss of hearing which is ten percent greater than that of the affected employee's comparable age group in the general population and which develops during a period of employment in the classified fire service in the state of Louisiana shall be classified as a disease or infirmity connected with employment. The employee affected, or his survivors, shall be entitled to all rights and benefits as granted by the laws of the state of Louisiana to which one suffering an occupational disease is entitled, regardless of whether the fireman is on duty at the time he is stricken with the loss of hearing. Such loss of hearing shall be presumed to have developed during employment and shall be presumed to have been caused by or to have resulted from the nature of the work performed whenever such loss is manifested at any time after the first five years of employment in such classified fire service. This presumption shall be rebuttable by evidence meeting judicial standards and shall be extended to an employee following termination of service for a period of twenty-four months.

B. Each person selected for appointment to an entry level position in the classified fire service on July 1, 2006, or thereafter shall submit to a baseline audiology examination. The appointing authority shall develop and implement policies and procedures for the administration of such examination. Such examination shall take place not later than one year after the selection of such person for such appointment.

Section 2. This Act shall become effective on July 1, 2006; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2006, or on the day following such approval by the legislature, whichever is later."

Rep. Baylor moved the adoption of the amendments.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Odinet
Alario	Fannin	Pierre
Alexander	Farrar	Pinac
Arnold	Faucheux	Pitre
Badon	Frith	Powell, M.
Baldone	Gallot	Powell, T.
Baudoin	Geymann	Quezaire

Baylor	Gray	Richmond
Bowler	Guillory, E.	Ritchie
Bruce	Hammett	Robideaux
Bruneau	Harris	Romero
Burns	Heaton	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hutter	Smith, J.H.-8th
Chandler	Jackson	Smith, J.R.-30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Curtis	Kenney	Thompson
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	McDonald	Waddell
Dove	McVea	Walsworth
Downs	Montgomery	White
Total - 81		

NAYS

Total - 0

ABSENT

Ansardi	Guillory, M.	Martiny
Barrow	Hebert	Morrell
Beard	Hunter	Morrish
Crowe	Katz	Smith, J.D.-50th
Dartez	Kennard	Townsend
Durand	Kleckley	Walker
Glover	LaFonta	Winston
Greene	Marchand	Wooton
Total - 24		

The amendments were adopted.

Under the rules, the bill, as amended, was referred to the Legislative Bureau.

Suspension of the Rules

On motion of Rep. Michael Powell, the rules were suspended in order to take up and consider House Concurrent Resolutions Returned from the Senate with Amendments at this time.

House Concurrent Resolutions Returned from the Senate with Amendments

The following House Concurrent Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 231—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Health and Hospitals (DHH) to develop and implement a statewide pharmacy access program to increase access to prescription drugs by our underinsured and uninsured citizens.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Concurrent Resolution No. 231 by Representative Glover

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 11, change "direct" to "urge and request"

On motion of Rep. Michael Powell, the amendments proposed by the Senate were concurred in.

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 281— BY REPRESENTATIVE HAMMETT AND SENATOR MICHOT A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to review the provisions of law regarding criminal trespass as they relate to professional land surveyors and make recommendations to the Louisiana Legislature prior to the 2008 Regular Session.

Read by title.

On motion of Rep. Hammett, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 290— BY REPRESENTATIVE CRANE A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on June 5, 2006.

Read by title.

Rep. Crane moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McDonald
Alario	Faucheux	McVea
Alexander	Frith	Montgomery
Ansardi	Gallot	Morrish
Arnold	Geymann	Odinot
Baldone	Gray	Pierre
Baudoin	Greene	Pinac
Baylor	Guillory, E.	Pitre
Beard	Guillory, M.	Powell, M.
Bowler	Hammett	Powell, T.

Bruce	Harris	Quezaire
Bruneau	Heaton	Richmond
Burns	Hebert	Ritchie
Burrell	Hill	Robideaux
Carter, K.	Honey	Romero
Carter, R.	Hopkins	Scalise
Cazayoux	Hunter	Schneider
Chandler	Hutter	Smiley
Crane	Jackson	Smith, G.
Cravins	Jefferson	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	St. Germain
Daniel	Kenney	Strain
DeWitt	Kleckley	Thompson
Doerge	LaBruzzo	Toomy
Dorsey	LaFleur	Townsend
Dove	LaFonta	Trahan
Downs	Lambert	Triche
Durand	Lancaster	Waddell
Erdey	Marchand	Walker
Fannin	Martiny	White
Total - 96		

NAYS

Walsworth
Total - 1

ABSENT

Badon	Glover	Winston
Barrow	Morrell	Wooton
Dartez	Tucker	
Total - 8		

The resolution was adopted.

Ordered to the Senate

Suspension of the Rules

On motion of Rep. Hebert, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

Suspension of the Rules

On motion of Rep. Toomy, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 69— BY REPRESENTATIVE TOOMY AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9600 through 9604, relative to the creation of certain judicial administrative districts to fund the offices of the clerks of court; to provide for boundaries of the districts; to provide that the clerk of court is the ex officio chief executive officer and governing authority of the district; to provide that each district is a political subdivision of the state and is authorized to incur debt; to provide for power and authority of the districts; to provide for the establishment of a special fund and expenditures from that fund; and to provide for related matters.

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Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 69 by Representative Toomy

AMENDMENT NO. 1

On page 2, at the end of line 25, insert "In the event that the offices of the clerk of the Civil District Court and the clerk of the Criminal District Court for the parish of Orleans are combined, the district shall be known as the "Judicial Administrative District of the parish of Orleans, State of Louisiana" and the office of the clerk of court of the parish shall be the ex officio chief executive officer and governing authority of the district."

Rep. Toomy moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.H.—8th
Chandler	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	
Total - 92		

NAYS

Total - 0

ABSENT

Barrow	Katz	Townsend
Dartez	Lambert	Winston
Downs	Morrell	Wooton
Greene	Pitre	
Hebert	Smith, J.D.—50th	

Total - 13

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 91—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 34:851.27(C), relative to speed limits on waterways; to establish "no-wake" zones around certain boat launches and docking facilities; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 91 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 3, after "facilities;" insert "to provide for signage of "no-wake" zones;"

AMENDMENT NO. 2

On page 1, line 6, after "reenacted" insert "and R.S. 34:851.27(D) is hereby enacted"

AMENDMENT NO. 3

On page 1, after line 18, insert

"D. The commission shall adopt rules and regulations establishing a uniform system of "no wake" zone signs. Local municipal and parish authorities in their respective jurisdictions shall place and maintain such "no wake" zone signs as they may deem necessary to carry out the rules and regulations of the commission. All such "no wake" zone signs hereafter erected by local municipal and parish authorities shall conform to such rules and regulations adopted by the commission."

Rep. Farrar moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Baldone	Geymann	Pitre
Baudoin	Glover	Powell, M.
Baylor	Gray	Powell, T.
Beard	Guillory, E.	Quezaire
Bowler	Hammett	Richmond
Bruce	Harris	Ritchie
Bruneau	Heaton	Robideaux
Burns	Hill	Romero
Burrell	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley

Cazayoux	Hutter	Smith, G.
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	
Total - 92		

NAYS

Total - 0

ABSENT

Badon	Hebert	Townsend
Barrow	Katz	Winston
Downs	Kennard	Wooton
Greene	Morrell	
Guillory, M.	Smith, J.D.—50th	
Total - 13		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 228—

BY REPRESENTATIVE WALKER
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (L), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Bunkie; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 228 by Representative Walker

AMENDMENT NO. 1

On page 1, line 2, after "Article" change "4843(H) and (L)" to "4843(H), (I), (K), (L), and (M)"

AMENDMENT NO. 2

On page 1, line 4, after "Bunkie" insert ", the City Court of Alexandria, and the City Court of Pineville"

AMENDMENT NO. 3

On page 1, line 6, after "Article" change " 4843(H) and (L)" to "4843(H), (I), (K), (L), and (M)"

AMENDMENT NO. 4

On page 1, delete line 20 and insert the following:

"I. In the Pineville City Court, the City Court of Leesville, the City Court of Minden, the City Court of Springhill, and the City Court of Slidell, and the City Court of Alexandria, the civil

jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars.

* * *

~~K. In the City Court of Alexandria, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars, except as provided in Article 4850.1.~~

~~E. K. In the city courts of Bunkie and City Court of Marksville, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty thousand dollars.~~

~~M. L. In the city courts of Abbeville and Kaplan, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty-five thousand dollars.~~

M. In the City Court of Alexandria and the City Court of Pineville, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed the amount provided in Article 1732(1) for purposes of demanding a jury trial."

AMENDMENT NO. 5

On page 2, delete lines 1 through 4

Rep. Walker moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Baldone	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Bowler	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Bruneau	Harris	Robideaux
Burns	Heaton	Romero
Burrell	Hill	Scalise
Carter, K.	Honey	Schneider
Carter, R.	Hopkins	Smiley
Cazayoux	Hunter	Smith, G.
Chandler	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	
Farrar	Montgomery	

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Total - 91

NAYS

Total - 0

ABSENT

Badon	Hebert	Smith, J.D.-50th
Barrow	Katz	Townsend
Beard	Kennard	Winston
Doerge	Lambert	Wooton
Downs	Morrell	
Total - 14		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 229—

BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (L), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Marksville; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 229 by Representative Walker

AMENDMENT NO. 1

On page 1, line 2, after "Article", change "4843(H) and (L)" to "4843(H), (I), (K), (L), and (M)"

AMENDMENT NO. 2

On page 1, line 4, after "Marksville" insert", the City Court of Alexandria, and the City Court of Pineville"

AMENDMENT NO. 3

On page 1, line 6, after "Article", change "4843(H) and (L)" to "4843(H), (I), (K), (L), and (M)"

AMENDMENT NO. 4

On page 1, delete line 20, and insert the following:

"I. In ~~the Pineville City Court~~, the City Court of Leesville, the City Court of Minden, the City Court of Springhill, and the City Court of Slidell, ~~and the City Court of Alexandria~~, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars.

* * *

~~K. In the City Court of Alexandria, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed thirty-five thousand dollars, except as provided in Article 4850.1.~~

~~E. K. In the city courts of Bunkie and Marksville City Court of Bunkie~~, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty thousand dollars.

~~M. L. In the city courts of Abbeville and Kaplan, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed twenty-five thousand dollars.~~

M. In the City Court of Alexandria and the City court of Pineville, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute or the value of the property involved, does not exceed the amount provided in Article 1732(1) for purposes of demanding a jury trial."

AMENDMENT NO. 5

On page 2, delete lines 1 through 4

Rep. Walker moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Baylor	Greene	Powell, M.
Beard	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Hammett	Richmond
Burns	Harris	Ritchie
Burrell	Heaton	Robideaux
Carter, K.	Hill	Romero
Carter, R.	Honey	Scalise
Cazayoux	Hopkins	Schneider
Chandler	Hunter	Smiley
Crane	Hutter	Smith, G.
Cravins	Jackson	Smith, J.D.-50th
Crowe	Jefferson	Smith, J.H.-8th
Curtis	Johns	Smith, J.R.-30th
Damico	Katz	St. Germain
Daniel	Kennard	Strain
Dartez	Kenney	Thompson
DeWitt	Kleckley	Toomy
Doerge	LaBruzzo	Townsend
Dorsey	LaFleur	Trahan
Dove	LaFonta	Triche
Downs	Lambert	Tucker
Durand	Marchand	Waddell
Erdey	Martiny	Walker
Fannin	McDonald	Walsworth
Farrar	McVea	White

Total - 96

NAYS

Total - 0

ABSENT

Alexander	Bruneau	Morrell
Barrow	Hebert	Winston
Baudoin	Lancaster	Wooton
Total - 9		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 299—

BY REPRESENTATIVES DANIEL, BEARD, GREENE, KATZ, PITRE, QUEZAIRE, TRAHAN, AND WALSWORTH

AN ACT

To amend and reenact R.S. 48:2074(A) and 2077(24) and to enact R.S. 48:2077(25) and Chapter 32 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2111 through 2119, relative to construction and funding of transportation projects; to provide relative to the Louisiana Transportation Authority; to provide relative to powers and duties of such authority regarding the Transportation Mobility Fund; to create and establish the Transportation Mobility Fund; to provide relative to the distribution of proceeds; to provide relative to the eligibility, ranking, and prioritizing of projects; to provide relative to applications for funding; to provide relative to the financing of qualified projects; to authorize the issuance of debt in certain circumstances; to provide relative to the required security for such financing and interest rates; to provide relative to preliminary and final approval of project financing; to impose certain obligations and responsibilities on applicants; to provide relative to certain financial and credit requirements; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Re-Reengrossed House Bill No. 299 by Representative Daniel

AMENDMENT NO. 1

On page 4, line 25, after "established by the" delete the remainder of the line and delete lines 26 through 28 and insert "Louisiana Transportation Authority."

AMENDMENT NO. 2

On page 6, line 11, after "pledge agreement." and before "or" insert "mortgage."

AMENDMENT NO. 3

On page 6, at the end of line 14, after "pledge" and before the comma " ," insert "agreement, mortgage"

AMENDMENT NO. 4

On page 6, line 27, after "exceeding" change "twenty" to "thirty-five"

AMENDMENT NO. 5

On page 8, between lines 12 and 13, insert the following:

"H. The Louisiana Transportation Authority is hereby authorized to sell such bonds, notes, or other evidences of indebtedness of a qualified applicant pursuant to negotiated or competitive sale after financial feasibility of a project has been achieved, and the proceeds of any such sale shall be deposited in the Transportation Mobility Fund."

AMENDMENT NO. 6

On page 14, line 21, after "date of" delete "the audit report" and insert "maturity of the bonds, notes or other evidences of indebtedness"

Rep. Daniel moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Romero
Burns	Heaton	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, J.D.—50th
Chandler	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kenney	Townsend
DeWitt	Kleckley	Trahan
Doerge	LaBruzzo	Tucker
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Lancaster	Walsworth
Durand	Marchand	White
Erdey	Martiny	
Fannin	McDonald	

Total - 91

NAYS

Total - 0

ABSENT

Barrow	Kennard	Smith, G.
Bruneau	LaFleur	Triche
Cazayoux	Morrell	Winston
Dartez	Pitre	Wooton
Hebert	Robideaux	

Total - 14

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 345—

BY REPRESENTATIVE CAZAYOUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain endowed funds of institutions of higher education; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

On motion of Rep. White, the bill was returned to the calendar.

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44th Day's Proceedings - June 14, 2006

HOUSE BILL NO. 351—

BY REPRESENTATIVE M. POWELL

AN ACT

To enact R.S. 13:1565.1, relative to the Juvenile Court for Caddo Parish; to establish a judicial expense fund for the court; to provide for deposit out of existing fees; to provide for uses of the separate account; to provide for limitations; to provide for an annual audit; to provide for prohibitions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 351 by Representative M. Powell

AMENDMENT NO. 1

On page 1, line 11, delete "clerk of the juvenile" and insert:

"Juvenile Court for Caddo Parish pursuant to Article 405 of the Louisiana Children's Code, and additionally court fines and any other court assessed imposed fees and court costs"

AMENDMENT NO. 2

On page 1, line 12, delete the first word "court"

AMENDMENT NO. 3

On page 1, line 13, delete "clerk of the juvenile"

AMENDMENT NO. 4

On page 1, line 16, after "Parish." and before "The" insert:

"Notwithstanding this Section or other provision of law, any fees collected by the Juvenile Court for Caddo Parish pursuant to Article 405 of the Louisiana Children's Code, in addition to any and all court fines and other court assessed fees and costs collected, to the extent such cumulative amount exceeds the "maximum annual amount" defined below, such excess of the maximum annual amount shall be remitted to the governing authority of the parish to be utilized for operational expenses of the juvenile court and juvenile detention facility. For purposes of this Section, the "maximum annual amount" shall be derived from taking the prior fiscal year expenditure of the judges of the First Judicial District Court from the judicial expense fund established pursuant to the R.S. 13:996.16 et seq, which amount shall then be reduced proportionately to reflect the difference in the number of judges of the First Judicial District Court relative to the Juvenile Court of Caddo Parish."

AMENDMENT NO. 5

On page 1, line 17, delete "therefrom" and insert "from the Judicial Expense Fund of the Juvenile Court for Caddo Parish,"

AMENDMENT NO. 6

On page 1, line 20, after "inspection." delete the remainder of the line

AMENDMENT NO. 7

On page 2, delete lines 1 through 3

AMENDMENT NO. 8

On page 2, line 5, delete "including" and insert "and" and delete the comma at the end of the line

AMENDMENT NO. 9

On page 2, line 6, delete "bailiffs, minute clerks."

AMENDMENT NO. 10

On page 2, after line 17, insert

"Section 2. The provisions of this Act shall become effective on January 1, 2007."

Rep. Michael Powell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bruce	Harris	Ritchie
Bruneau	Heaton	Robideaux
Burns	Hill	Romero
Burrell	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Chandler	Hutter	Smith, G.
Crane	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kennard	Strain
Daniel	Kenney	Thompson
Dartez	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	
Total - 98		

NAYS

Total - 0

ABSENT

Badon	Hebert	Wooton
Bowler	LaFleur	
Cazayoux	Winston	
Total - 7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 453—BY REPRESENTATIVES TOOMY, JOHNS, AND WALKER
AN ACT

To enact R.S. 29:735.1, relative to emergency assistance during disasters; to provide a limitation of liability for health care providers; to provide an exception for gross negligence; to provide relative to the licensing of certain health care providers; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 453 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 3, after "providers" insert "under certain circumstances"

AMENDMENT NO. 2

On page 1, delete line 10, and insert "good faith voluntarily renders emergency care, health care services, or first aid in areas subject to the declared state of emergency without charge to the recipient shall"

AMENDMENT NO. 3

On page 1, line 17, after "emergency", insert "and in areas subject to the declared state of emergency"

Rep. Toomy moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Baldone	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Powell, T.
Beard	Guillory, E.	Quezaire
Bowler	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Bruneau	Harris	Robideaux
Burns	Heaton	Romero
Burrell	Hill	Scalise
Carter, K.	Honey	Schneider
Carter, R.	Hunter	Smiley
Chandler	Hutter	Smith, G.
Crane	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kennard	Strain
Daniel	Kenney	Thompson
Dartez	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche

Dove
Downs
Durand
Erdey
Fannin
Total - 95

Lancaster
Marchand
Martiny
McDonald
McVea

Tucker
Walker
Walsworth
White

NAYS

Total - 0

ABSENT

Badon
Barrow
Cazayoux
Hebert
Total - 10

Hopkins
LaFleur
Morrell
Waddell

Winston
Wooton

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 795—BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 56:6(31), relative to importation of certain animals; to require the Wildlife and Fisheries Commission to control the importation and ownership of big exotic cats; to provide for penalties; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 795 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, before "enact" insert "amend and reenact R.S. 56:39(A) and to"

AMENDMENT NO. 2

On page 1, line 4, delete "for penalties" and insert "relative to certain penalties, including forfeiture"

AMENDMENT NO. 3

On page 1, line 6, before "R.S. 56:6(31)" insert "R.S. 56:39(A) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, after line 19, insert

"* * *

§39. Forfeiture of quadrupeds, birds, and fish; Fish and Wildlife Violations Reward Fund, creation and use of fund monies

A. In addition to all other penalties provided in this Chapter, violators subject to the provisions of R.S. 56:31 through R.S. 56:37.1 shall upon conviction forfeit any quadrupeds, birds, ~~or~~ fish, or other animals seized in connection with said violation.

* * *

Rep. Triche moved that the amendments proposed by the Senate be concurred in.

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44th Day's Proceedings - June 14, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Baldone	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Powell, T.
Beard	Guillory, E.	Quezaire
Bowler	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Bruneau	Harris	Robideaux
Burns	Heaton	Romero
Burrell	Hill	Scalise
Carter, K.	Honey	Schneider
Carter, R.	Hopkins	Smiley
Chandler	Hunter	Smith, G.
Crane	Hutter	Smith, J.D.—50th
Cravins	Jackson	Smith, J.H.—8th
Crowe	Jefferson	Smith, J.R.—30th
Damico	Katz	St. Germain
Daniel	Kennard	Strain
Dartez	Kenney	Thompson
DeWitt	Kleckley	Toomy
Doerge	LaBruzzo	Townsend
Dorsey	Lambert	Trahan
Dove	Lancaster	Triche
Downs	Marchand	Tucker
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Total - 93		

NAYS

Total - 0

ABSENT

Badon	Hebert	Morrell
Barrow	Johns	Waddell
Cazayoux	LaFleur	Winston
Curtis	LaFonta	Wooton
Total - 12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 830—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 49:327(C)(3), relative to the investment of endowed funds; to provide for the investment of a percentage of the publicly funded permanently endowed funds in stock; and to provide for related matters.

Read by title.

Motion

On motion of Rep. White, the bill was returned to the calendar.

HOUSE BILL NO. 954—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 32:408(B)(2)(d), relative to issuance of drivers' licenses; to provide relative to Class "D" Chauffeur's Licenses; to add certain types of vehicles to the list of vehicles authorized to be operated with a Class "D" Chauffeur's License; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed House Bill No. 954 by Representative Lambert

AMENDMENT NO. 1

On page 2, line 12, change "twenty-six thousand" to "twenty-six thousand one"

Rep. White moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Baldone	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Powell, T.
Beard	Guillory, E.	Quezaire
Bowler	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Bruneau	Harris	Robideaux
Burns	Hill	Romero
Burrell	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Chandler	Hutter	Smith, G.
Crane	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Strain
Daniel	Kenney	Thompson
Dartez	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Total - 93		

NAYS

Total - 0

ABSENT

Badon	Heaton	Morrell
-------	--------	---------

Barrow
Cazayoux
Damico
Total - 12

Hebert
Kennard
LaFleur

St. Germain
Winston
Wooton

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1204—

BY REPRESENTATIVES QUEZAIRE AND ALARIO AND SENATORS ELLINGTON AND HEITMEIER

AN ACT

To enact R.S. 32:1525 and to repeal R.S. 32:1513(A), relative to motor carrier violations; to implement a procedure for the review of motor carrier violations; to provide relative to the assessment of penalties and collection of fines for violations; to provide relative to notification of violations to motor carriers and owners of motor vehicles; to provide relative to the administrative review of such violations; to authorize the posting of certain violations on the office of state police web site; to authorize the suspension of registration and commercial driver's license renewals under certain circumstances; to authorize the promulgation of rules and regulations; to prohibit the seizure of certain motor vehicles; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 1204 by Representative Quezaire

AMENDMENT NO. 1

On page 2, delete lines 5 through 7 in their entirety and insert the following:

"contain notice that the responsible party shall have forty-five calendar days from the date of issuance of the notice of violation to either pay the monetary penalty for the violation or to request, in writing, an administrative hearing to review the notice"

AMENDMENT NO. 2

On page 2, at the end of line 20, insert the following:

"However, the office of state police shall be granted an additional sixty calendar days to send the responsible party a notice of violation in accordance with the provisions of this Section if the office of state police experiences a data system failure caused by either an act of God or an intentional act of sabotage."

AMENDMENT NO. 3

On page 2, at the end of line 24, insert the following:

"penalty within forty-five calendar days of issuance of the notice of violation, or in the case of an administrative hearing, the responsible party fails to pay the assessed"

AMENDMENT NO. 4

On page 3, line 13, after "violation," insert the following:

"or in the case of an administrative hearing, the responsible party fails to pay the assessed penalty within thirty calendar days of

receiving a notice of final judgement from the administrative law judge."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1204 by Representative Quezaire

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on May 30, 2006, on line 19 change "judgement" to "judgment"

AMENDMENT NO. 2

On page 2, line 18 following "violation" insert "to the responsible party"

AMENDMENT NO. 3

On page 2, line 19 following "Section" delete "to the responsible party"

AMENDMENT NO. 4

On page 3, lines 18 and 22, change "judgement" to "judgment"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1204 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:" insert "389(C)(9) and"

AMENDMENT NO. 2

On page 1, line 10, after "vehicles" insert ", their registration or license plates"

AMENDMENT NO. 3

On page 1, line 12, after "R.S. 32:" insert "389(C)(9) and" and change "is" to "are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert:

"§389. Weights and standards police; enforcement procedure; payment and collection procedures; administrative review

* * *

C.

* * *

(9) Notwithstanding any other law to the contrary, no motor vehicle, motor vehicle registration, or vehicle license plate shall be seized for a violation of the provisions of this Part and Part VI-A or for failure to pay a fine for such violation.

* * *

Rep. Quezaire moved that the amendments proposed by the Senate be rejected.

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44th Day's Proceedings - June 14, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	

Total - 98

NAYS

Total - 0

ABSENT

Barrow	Marchand	Wooton
Glover	Morrell	
Hebert	Winston	

Total - 7

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1218—

BY REPRESENTATIVE TUCKER

AN ACT

To require that the Crescent City Connection Division within the Department of Transportation and Development collect and dispose of litter in certain areas of Orleans Parish.

Read by title.

Motion

On motion of Rep. Walsworth, the bill was returned to the calendar.

HOUSE BILL NO. 1222—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact R.S. 35:199 and 281 and to repeal R.S. 9:2741 and 2745 and R.S. 35:282, 283, 284, 285, and 286, relative to notaries public; to provide for the consolidation of provisions relative to the duty to record certain acts in all parishes; to provide for penalties for failure to record; to provide for exceptions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1222 by Representative Gallot

AMENDMENT NO. 1

On page 3, line 2, after "instruments to" change "it" to "one of the parties"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1222 by Representative Gallot

AMENDMENT NO. 1

On page 2, line 16, following "a copy" and before the end of the line delete "of such act a duplicate copy"

AMENDMENT NO. 2

On page 2, line 23, following "who" and before "contravene" delete "may"

Rep. Gallot moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McDonald
Alario	Fannin	McVea
Alexander	Faucheux	Montgomery
Ansardi	Frith	Morrish
Arnold	Gallot	Odinot
Baldone	Geymann	Pierre
Baudoin	Glover	Pinac
Baylor	Gray	Pitre
Beard	Greene	Powell, M.
Bowler	Guillory, E.	Powell, T.
Bruce	Guillory, M.	Quezaire
Bruneau	Hammett	Richmond
Burns	Harris	Ritchie
Burrell	Heaton	Robideaux
Carter, K.	Honey	Romero
Carter, R.	Hopkins	Scalise
Cazayoux	Hunter	Schneider
Chandler	Hutter	Smiley
Crane	Jackson	Smith, G.
Cravins	Jefferson	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th

Damico	Kennard	St. Germain
Daniel	Kenney	Strain
Dartez	Kleckley	Thompson
DeWitt	LaBruzzo	Toomy
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	
Total - 92		

NAYS

Total - 0

ABSENT

Badon	Lambert	White
Barrow	Morrell	Winston
Farrar	Townsend	Wooton
Hebert	Tucker	
Hill	Walsworth	
Total - 13		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1229—

BY REPRESENTATIVE BAUDOIN

AN ACT

To amend and reenact R.S. 41:15, relative to state lands; to prohibit permanent stands on state lands; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 1229 by Representative Baudoin

AMENDMENT NO. 1

On page 1, line 3, after "lands;" insert "to provide definitions;"

AMENDMENT NO. 2

On page 1, line 11, delete "A permanent stand is a stand that"

AMENDMENT NO. 3

On page 1, delete lines 12 and 13, and insert

"Any permanent stand may be removed and destroyed. A permanent stand is one of the following:

(1) a stand that uses nails, screws, spikes, or other means to attach to a tree and which is not designed to be hand carried by one person, and to be removed daily; or

(2) a non-portable, freestanding structure."

Rep. Baudoin moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Baudoin	Greene	Powell, M.
Baylor	Guillory, M.	Powell, T.
Beard	Hammett	Quezaire
Bowler	Harris	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hill	Robideaux
Burns	Honey	Romero
Burrell	Hopkins	Scalise
Carter, R.	Hunter	Schneider
Cazayoux	Hutter	Smiley
Chandler	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Damico	Kenney	St. Germain
Daniel	Kleckley	Strain
Dartez	LaBruzzo	Thompson
DeWitt	LaFleur	Toomy
Dorsey	Lambert	Townsend
Dove	Lancaster	Trahan
Downs	Marchand	Triche
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	White
Total - 90		

NAYS

Total - 0

ABSENT

Ansardi	Gray	Morrell
Barrow	Guillory, E.	Tucker
Carter, K.	Hebert	Walsworth
Curtis	Kennard	Winston
Doerge	LaFonta	Wooton
Total - 15		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1285—

BY REPRESENTATIVES ODINET, BARROW, BAUDOIN, BAYLOR, DOVE, GRAY, JEFFERSON, KATZ, AND MARCHAND

AN ACT

To enact R.S. 33:4882, relative to building and zoning regulations in parishes and municipalities; to require that the governing authority of any municipality or parish and any agency of any such municipality or parish shall not allow and shall not cause any building or land to lose nonconforming use status by reason of vacancy or cessation of normal operations as a result of damage caused by Hurricane Katrina or Hurricane Rita during a specified time period; to provide exceptions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1285 by Representative Odinet

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AMENDMENT NO. 1

On page 2, line 4 after "parish" delete the remainder of the line and delete line 5 in its entirety and insert the following:

"having a population in excess of four-hundred thousand, based on the latest federal decennial census, may by ordinance reduce"

Rep. Odinet moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McDonald
Alario	Fannin	McVea
Alexander	Farrar	Montgomery
Ansardi	Faucheux	Morrish
Arnold	Frith	Odinot
Baldone	Gallot	Pierre
Baudoin	Geymann	Pinac
Baylor	Glover	Pitre
Beard	Gray	Powell, M.
Bowler	Greene	Powell, T.
Bruce	Guillory, E.	Quezaire
Bruneau	Guillory, M.	Richmond
Burns	Harris	Ritchie
Burrell	Hill	Robideaux
Carter, K.	Honey	Romero
Carter, R.	Hopkins	Scalise
Cazayoux	Hunter	Schneider
Chandler	Hutter	Smith, G.
Crane	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	White
Total - 93		

NAYS

Total - 0

ABSENT

Badon	Hebert	Tucker
Barrow	Kennard	Walsworth
Hammett	Morrell	Winston
Heaton	Smiley	Wooton
Total - 12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1359—

BY REPRESENTATIVES STRAIN AND DURAND
AN ACT

To enact R.S. 9:2793.5; relative to civil liability of nonprofit organizations; to provide a limitation of liability for the Louisiana Girl Scout Councils; to provide an exception for

willful and wanton misconduct; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1359 by Representative Strain

AMENDMENT NO. 1

On page 1, line 11, after "emergency", insert "in areas subject to the declared state of emergency"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed House Bill No. 1359 by Representative Strain

AMENDMENT NO. 1

Delete Senate Committee Amendments proposed by the Senate Committee On Judiciary A and adopted by the Senate May 31, 2006.

Rep. Strain moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Baldone	Glover	Pinac
Baudoin	Gray	Pitre
Baylor	Greene	Powell, M.
Beard	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Harris	Richmond
Bruneau	Heaton	Ritchie
Burns	Hill	Robideaux
Burrell	Honey	Romero
Carter, K.	Hopkins	Scalise
Carter, R.	Hunter	Schneider
Cazayoux	Hutter	Smiley
Chandler	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kenney	St. Germain
Damico	Kleckley	Strain
Daniel	LaBruzzo	Thompson
Dartez	LaFleur	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	White
Total - 93		

NAYS

Total - 0

ABSENT

Badon	Hammett	Tucker
Barrow	Hebert	Walsworth
Erdey	Kennard	Winston
Geymann	Morrell	Wooton
Total - 12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 345—

BY REPRESENTATIVE CAZAYOUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain endowed funds of institutions of higher education; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 345 by Representative Cazayoux

AMENDMENT NO. 1

On page 3, line 3, after "public" insert "or private"

AMENDMENT NO. 2

On page 3, line 14, after "public" insert "or private"

Rep. Cazayoux moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Fannin	Montgomery
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Powell, T.
Beard	Guillory, E.	Quezaire
Bruce	Guillory, M.	Richmond
Bruneau	Harris	Ritchie
Burns	Heaton	Robideaux
Burrell	Honey	Romero
Carter, K.	Hopkins	Scalise
Carter, R.	Hunter	Schneider
Cazayoux	Hutter	Smiley
Chandler	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th

Curtis	Kenney	St. Germain
Damico	Kleckley	Strain
Daniel	LaBruzzo	Thompson
Dartez	LaFleur	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	White
Total - 93		

NAYS

Bowler
Total - 1

ABSENT

Barrow	Hill	Walsworth
Farrar	Katz	Winston
Hammett	Morrell	Wooton
Hebert	Tucker	
Total - 11		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 830—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 49:327(C)(3), relative to the investment of endowed funds; to provide for the investment of a percentage of the publicly funded permanently endowed funds in stock; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 830 by Representative Cazayoux

AMENDMENT NO. 1

On page 2, line 2, after "public" insert "or private"

AMENDMENT NO. 2

On page 2, line 7, after "public" insert "or private"

Rep. Cazayoux moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrell
Ansardi	Frith	Morrish
Arnold	Gallot	Odinot
Badon	Glover	Pierre
Baldone	Gray	Pinac

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Barrow	Greene	Pitre
Baudoin	Guillory, E.	Powell, M.
Baylor	Guillory, M.	Powell, T.
Beard	Hammett	Quezaire
Bruce	Harris	Richmond
Bruneau	Heaton	Ritchie
Burns	Hebert	Robideaux
Burrell	Hill	Romero
Carter, K.	Honey	Scalise
Carter, R.	Hopkins	Schneider
Cazayoux	Hutter	Smith, G.
Crane	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	White
Erdey	McDonald	

Total - 95

NAYS

Bowler
Total - 2

ABSENT

Chandler	Smiley	Winston
Geymann	Tucker	Wooton
Kennard	Walsworth	

Total - 8

The amendments proposed by the Senate were concurred in by the House.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1204: Reps. Quezaire, St. Germain, and Erdey.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1229: Reps. Baudoin, Pierre, and Odinet.

HOUSE BILL NO. 1379 (Substitute for House Bill No. 860 by Representative Alexander)—

BY REPRESENTATIVES ALEXANDER, ANSARDI, BEARD, BRUCE, CRANE, CROWE, DORSEY, ERDEY, FRITH, E. GUILLORY, KENNEY, LABRUZZO, MONTGOMERY, MORRISH, PIERRE, T. POWELL, ROMERO, SCALISE, SMILEY, JANE SMITH, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, CAIN, KOSTELKA, MICHOT, NEVERS, QUINN, SMITH, AND THEUNISSEN

AN ACT

To amend and reenact Civil Code Articles 102 and 103(1) and Code of Civil Procedure Articles 3952, 3953(introductory paragraph) and (1) and (2) and 3956(introductory paragraph) and (5) and R.S.13:3491(A)(introductory paragraph) and (5)(a) and (B) and 3492(A)(introductory paragraph) and (6)(b) and (B) and to enact Civil Code Article 103.1, relative to divorce; to provide for the granting of divorce when there are minor children of the marriage; to provide for nullity of judgments; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1379 by Representative Alexander

AMENDMENT NO. 1

On page 6, after line 25, insert the following:

"Section 4. The provisions of this Act shall become effective on January 1, 2007."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Engrossed House Bill No. 1379 by Representative Alexander

AMENDMENT NO. 1

On page 2, line 18, after "If" and before "a protective" insert ", after a contradictory hearing."

AMENDMENT NO. 2

On page 6, after line 25, insert the following:

"Section 5. The provisions of this Act shall apply only to actions filed on and after its effective date. Actions pending before the effective date of this Act shall be governed by prior law."

Rep. Alexander moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Odinet
Alario	Frith	Pierre
Alexander	Glover	Pinac
Ansardi	Guillory, E.	Pitre
Baudoin	Guillory, M.	Powell, M.
Baylor	Hammett	Powell, T.
Bruce	Harris	Quezaire
Bruneau	Heaton	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Cazayoux	Hopkins	Smiley
Chandler	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
Dorsey	Lambert	Walker
Dove	Lancaster	White
Downs	McVea	
Durand	Montgomery	

Total - 67

NAYS

Arnold	Faucheux	Martiny
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Baldone	Gallot	Richmond
Bowler	Geymann	Ritchie
Carter, K.	Gray	Smith, G.
Carter, R.	Greene	Thompson
DeWitt	Hebert	Toomy
Doerge	Kenney	
Total - 20		

ABSENT

Badon	Kennard	Robideaux
Barrow	LaFonta	Tucker
Beard	Marchand	Waddell
Fannin	McDonald	Walsworth
Farrar	Morrell	Winston
Hunter	Morrish	Wooton
Total - 18		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 5—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 8:78, relative to the Louisiana Cemetery Board; to provide for exemption from board authority; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 5 by Representative Salter

AMENDMENT NO. 1

On page 1, after line 15, insert the following:

"C. The provisions of this Chapter shall not apply to columbarium facilities owned and operated by churches for the interment of human remains."

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinet
Arnold	Geymann	Pierre
Baldone	Glover	Pinac
Baudoin	Gray	Pitre
Baylor	Greene	Powell, M.
Bowler	Guillory, E.	Powell, T.
Bruce	Guillory, M.	Quezaire
Bruneau	Hammett	Richmond
Burns	Harris	Ritchie
Burrell	Heaton	Robideaux
Carter, K.	Hebert	Romero
Carter, R.	Hill	Scalise
Cazayoux	Honey	Schneider

Chandler	Hopkins	Smiley
Crane	Hunter	Smith, G.
Cravins	Hutter	Smith, J.D.—50th
Crowe	Jackson	Smith, J.H.—8th
Curtis	Jefferson	Smith, J.R.—30th
Damico	Johns	St. Germain
Daniel	Kenney	Strain
Dartez	Kleckley	Thompson
DeWitt	LaBruzze	Toomy
Doerge	LaFleur	Townsend
Dorsey	LaFonta	Trahan
Dove	Lambert	Triche
Downs	Lancaster	Waddell
Durand	Martiny	Walker
Erdey	McDonald	White
Fannin	McVea	
Total - 95		

NAYS

Total - 0

ABSENT

Badon	Kennard	Winston
Barrow	Marchand	Wooton
Beard	Tucker	
Katz	Walsworth	
Total - 10		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 479—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 22:1410(A)(1) and 2092.2(17)(b)(vi) and to enact R.S. 22:1409(G)(2)(e) and 2092.5.1, relative to title insurance; to provide for contents of title opinions; to authorize a certain organization to make filings for their members; to provide title insurers the ability to seek permission to file a deviation from certain rates; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hill, the bill was returned to the calendar.

HOUSE BILL NO. 578—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:1520.1, relative to electronically filed state tax returns; to require taxpayers filing for a state individual income tax refund using a Federal/State E-file Program to direct deposit the state tax refund when the federal tax refund is directly deposited; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 578 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 9, change "the taxpayer" to "a taxpayer who"

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AMENDMENT NO. 2

On page 1, line 10, after "Program" delete the comma "," and after "both" delete the comma ",".

Rep. Hammett moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Romero
Burns	Hebert	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	White
Durand	McDonald	
Erdey	McVea	
Total - 94		

NAYS

Greene
Total - 1

ABSENT

Barrow	Lancaster	Winston
Downs	Pitre	Wooton
Katz	Tucker	
Kennard	Walsworth	
Total - 10		

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Crowe, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yeas.

HOUSE BILL NO. 1218—

BY REPRESENTATIVE TUCKER

AN ACT

To require that the Crescent City Connection Division within the Department of Transportation and Development collect and dispose of litter in certain areas of Orleans Parish.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 1218 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 7, after "litter from" insert "the state right-of-way of"

Rep. Arnold moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Fannin	Montgomery
Alexander	Farrar	Morrish
Ansardi	Faucheux	Odinot
Arnold	Frith	Pierre
Baldone	Gallot	Pinac
Baudoin	Glover	Powell, M.
Baylor	Gray	Powell, T.
Beard	Greene	Quezaire
Bowler	Guillory, E.	Richmond
Bruce	Guillory, M.	Ritchie
Bruneau	Harris	Robideaux
Burns	Heaton	Romero
Burrell	Hebert	Scalise
Carter, K.	Hill	Schneider
Carter, R.	Honey	Smiley
Cazayoux	Hopkins	Smith, G.
Chandler	Hunter	Smith, J.D.—50th
Crane	Hutter	Smith, J.H.—8th
Cravins	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	White
Total - 93		

NAYS

Total - 0

ABSENT

Badon	Kennard	Pitre
-------	---------	-------

Barrow	LaFleur	Walsworth
Geymann	Lancaster	Winston
Hammett	Morrell	Wooton
Total - 12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 240—
BY REPRESENTATIVE GREENE AND SENATOR BROOME
AN ACT

To enact R.S. 32:300.3, relative to the safe operation of motor vehicles; to provide relative to traffic rules for funeral processions; to provide for the definition of a "funeral procession"; to require the uniform identification of motor vehicles participating in funeral processions; to provide penalties for certain violations; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 240 by Representative Greene

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact R.S. 32:300.3" and insert in lieu thereof "amend and reenact R.S. 32:61, 63(A), and 141(D), to enact R.S. 32:79(3) and 300.3, and to repeal R.S. 32:62(A)" and after "vehicles;" insert "to provide for the regulation of traffic;"

AMENDMENT NO. 2

On page 1, line 5, after "violations;" insert "to provide for removal of vehicles from the roadway following certain accidents and for traffic incident management which emphasizes motor vehicle traffic flow; to provide for the authority of the Department of Transportation and Development to increase or lower certain speed limits; to provide for utilization of the shoulders of certain roadways;"

AMENDMENT NO. 3

On page 1, delete line 8 and insert as follows:

"Section 1. R.S. 32:61 and 63(A) are hereby amended and reenacted to read as follows:

§61. Maximum speed limit

A. No person shall operate ~~a~~ any vehicle on any highway of this state in excess of ~~fifty-five~~ sixty-five the speed limit posted on the highway as determined by the Department of Transportation and Development pursuant to the authority provided for in Subsection B of this Section, R.S. 32:63(A), or any other provision of law, but in no event shall such speed limit exceed ~~sixty-five~~ sixty-five miles per hour; ~~unless a lower maximum speed is posted on the highway~~; except as follows:

(1) No person shall operate ~~a~~ any vehicle on any interstate or controlled access highway of this state in excess of ~~seventy~~ seventy-five the speed limit posted on the highway as determined by the Department of Transportation and Development pursuant to the authority provided for in Subsection B of this Section, R.S. 32:63(A), or any other provision of law, but in no event shall such speed limit exceed seventy-five miles per hour.

(2) No person shall operate ~~a~~ any vehicle on any multi-lane divided highway of this state which has partial or no control of access in excess of ~~sixty-five~~ sixty-five the speed limit posted on the highway as determined by the Department of Transportation and Development pursuant to the authority provided for in Subsection B of this Section, R.S. 32:63(A), or any other provision of law, but in no event shall such speed limit exceed seventy miles per hour.

B. The Department of Transportation and Development shall develop criteria to determine which speed limits shall be established for a highway or portions of a highway ~~warrant a speed limit lower than so long as they do not exceed the maximum speed limits~~ speeds established by this Section. The criteria shall be based on an engineering study which shall consider, but not necessarily be limited to, the design speed of the road, the road geometry, the use of land surrounding the road, and the accident history of the road.

* * *

§63. Establishing of speed limits and speed zones

A. ~~Whenever~~ The department shall determine upon the basis of ~~an engineering and traffic investigation that any maximum investigations which~~ speed ~~set forth in this Chapter is greater or less than~~ is reasonable or safe under the conditions found to exist upon any highway of this state, or any part thereof, and the department ~~may~~ shall determine and declare a reasonable and safe maximum speed limit thereat within the limits provided for in R.S. 32:61(A), which, when appropriate signs giving notice thereof are erected, shall be effective at all times or at such specific times as may be determined by the department.

* * *

Section 2. Any speed limits established by the Department of Transportation and Development which are lower than the maximum speeds provided by law prior to the effective date of this Act shall remain in effect unless and until changed as provided for in this Act.

Section 3. R.S. 32:141(D) is hereby amended and reenacted and R.S. 32:79(3) and 300.3 are hereby enacted to read as follows:

§79. Driving on roadway laned for traffic

Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply.

* * *

(3)(a) Beginning July 1, 2007, if the driver of a passenger car as defined in R.S. 32:1(46.2) finds that he is impeding the flow of traffic on a highway, he may drive on the improved shoulder of the highway until the traffic following has passed if he reduces the speed of the car to a safe speed and signals his intention to following vehicles.

(b) For purposes of this Paragraph, "improved shoulder" means the paved shoulder of a highway capable of temporarily accommodating a traveling passenger car safely.

* * *

§141. Stopping, standing, or parking outside business or residence districts; removal of vehicles following accident

* * *

D. In the event of a motor vehicle accident, ~~if~~ the following shall apply:

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(1) If the driver is not prevented by injury and the vehicle is not disabled by the accident, or the accident has not resulted in serious injury or death of any person, the driver shall remove the vehicle from the travel lane of the highway to the nearest safe ~~shoulder location~~. Compliance with the provisions of this Subsection shall in no way be interpreted as a violation of requirements to remain at the scene of an accident as provided for in the Highway Regulatory Act or by R.S. 32:414.

(2)(a) Unless on-site medical treatment or transportation for those injured in an accident or the proper treatment of the remains of accident victims requires otherwise, the primary consideration for law enforcement officers upon arrival at the scene of an accident shall be the safe resumption of traffic flow to the greatest extent possible.

(b) Law enforcement officers may authorize vehicles to bypass accidents on the shoulder of a highway until normal traffic flow resumes if they determine it can be safely done.

(3) Beginning July 1, 2007, any entity required to provide written evidence of motor vehicle liability insurance pursuant to R.S. 32:863.1 shall also provide with such document a statement in a form approved by the office of motor vehicles of the Department of Public Safety and Corrections informing the insured of the provisions of this Paragraph requiring removal of the motor vehicle from the travel lane of the highway to a safe location after an accident.

* * *

AMENDMENT NO. 4

On page 2, between lines 14 and 15, insert as follows:

"Section 4.A. The Department of Transportation and Development shall propose rules and regulations to be adopted in accordance with the Administrative Procedure Act by March 1, 2007 that would implement policies and procedures facilitating clearance, investigation, and mitigation of traffic incidents, especially those which initially block travel lanes, and policies governing removal of accident victims based upon the following:

(1) The study, report, and recommendations issued by The National Cooperative Highway Research Program of the National Research Council's Transportation Research Board Division, titled *NCHRP Synthesis 318: Safe and Quick Clearance of Traffic Incidents*.

(2) The recommendations and procedures provided in the *Incident Management Workshop: Relieving Traffic Congestion through Incident Management*, U.S. Department of Transportation, Federal Highway Administration, Demonstration Project No. 86.

(3) Such other relevant studies, reports, and recommendations as determined by the department.

B. At the same time the rules and regulations required by Subsection A of this Section are proposed, the department shall issue a report and recommendations concerning which laws need to be amended or enacted to facilitate safe and quick accident clearance, including quick clearance legislation and hold harmless laws.

Section 5. R.S. 32:62(A) is hereby repealed.

Section 6. The provisions of Section 1 and Section 5 of this Act shall become effective on July 1, 2007."

AMENDMENT NO. 5

On page 2, line 15, change "Section 2. This" to "Section 7. The provisions of Sections 2, 3, 4, and 6 of this"

Rep. Greene moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Martiny
Alario	Farrar	McDonald
Alexander	Faucheux	McVea
Ansardi	Frith	Montgomery
Arnold	Gallot	Morrish
Badon	Geymann	Odinot
Baldone	Glover	Pierre
Baudoin	Gray	Pinac
Baylor	Greene	Powell, M.
Beard	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Hammett	Richmond
Bruneau	Harris	Ritchie
Burns	Heaton	Robideaux
Burrell	Hebert	Romero
Carter, K.	Hill	Scalise
Carter, R.	Honey	Schneider
Cazayoux	Hopkins	Smiley
Chandler	Hunter	Smith, G.
Crane	Hutter	Smith, J.D.—50th
Cravins	Jackson	Smith, J.H.—8th
Crowe	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Katz	Strain
Daniel	Kenney	Thompson
Dartez	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Dorsey	LaFleur	Trahan
Dove	LaFonta	Triche
Downs	Lambert	Waddell
Durand	Lancaster	Walker
Erdey	Marchand	White
Total - 96		

NAYS

Total - 0

ABSENT

Barrow	Morrell	Walsworth
Doerge	Pitre	Winston
Kennard	Tucker	Wooton
Total - 9		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 699—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1356 through 1368, relative to cable services; to create the "Competitive Cable and Video Services Act"; to provide guidelines for cable and video services; to provide for certificate of franchise authority to be distributed by the secretary of state; to provide for franchise fees associated with cable or video services; to provide for franchise fee audits and dispute resolutions; to provide for the distribution of these fees; to provide for a prohibition against build-out requirements; to authorize a local governmental subdivision to regulate a certificate holder; to prohibit discrimination with regards to cable or video services; to provide for public,

educational, and governmental access channels; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 699 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 11, after "channels;" insert "to provide for opt-in procedures; to provide for in-kind contributions; to provide for declaratory judgment;"

AMENDMENT NO. 2

On page 1, line 3, change "1368" to "1371"

AMENDMENT NO. 3

On page 1, line 15, change "1368" to "1371"

AMENDMENT NO. 4

On page 1, at the beginning of line 21, before "The Legislature" insert "A."

AMENDMENT NO. 5

On page 2, between lines 3 and 4, insert the following:

"B. Competition between cable television, satellite, and other providers has promoted and continues to promote additional consumer choices for cable or video service and similar services, and the technology used to provide these services is not constrained or limited by local governmental subdivision boundaries. Accordingly, it is appropriate for the legislature of the state of Louisiana to review and update the policy of this state with regard to these services. The legislature of the state of Louisiana finds that revising the current system of regulation of these services will relieve consumers of unnecessary costs and burdens, encourage investment, and promote deployment of innovative offerings that provide competitive choices for consumers. Additionally, the legislature of the state of Louisiana finds that it is in the best interests of consumers for cable or video franchises to be non-exclusive and for requests for competitive cable or video franchises not to be unreasonably refused. The legislature of the state of Louisiana further finds that a streamlined policy framework providing statewide uniformity is necessary to allow these functionally equivalent services to compete fairly and to deploy new consumer services more quickly.

C. After the effective date of this Chapter, no local governmental subdivision may issue a cable or video franchise. A local governmental subdivision may continue to enforce existing cable or video franchises until they expire or are terminated pursuant to the provisions of this Chapter.

D. This Chapter occupies the entire field of franchising or otherwise regulating cable or video service and pre-empts any ordinance, resolution, or similar matter adopted by a local governmental subdivision that purports to address franchising or otherwise regulating cable or video service."

AMENDMENT NO. 6

On page 5, line 17, after "Section." delete the remainder of the line and delete lines 18 through 24 in their entirety.

AMENDMENT NO. 7

On page 7, between lines 12 and 13, insert the following:

"§1360. State franchise; opt-in

A. Any incumbent provider of cable or video service for any local governmental subdivision shall have the option to terminate existing franchises previously issued by such local governmental subdivision and may instead offer cable or video service in such local governmental subdivision under a certificate of state franchise issued by the secretary of state in accordance with the provisions of R.S. 45:1359.

B. An incumbent provider of cable or video service exercising its termination option shall file a statement of termination with the secretary of state on a form as required by the secretary of state and submit copies of such filing with any affected local governmental subdivision.

C. Termination of existing franchises is effective immediately upon issuance of a certificate of state franchise issued by the secretary of state."

AMENDMENT NO. 8

On page 7, line 13, change "§1360." to "§1361."

AMENDMENT NO. 9

On page 9, line 12, change "§1361." to "§1362."

AMENDMENT NO. 10

On page 10, line 18, change "§1362." to "§1363."

AMENDMENT NO. 11

On page 10, line 23, change "§1363." to "§1364."

AMENDMENT NO. 12

On page 13, between line 2 and 3, insert the following:

"§1365. In-Kind contributions

A. Local governmental subdivisions shall be prohibited from imposing in-kind compensations and grants. Notwithstanding any other provision of law to the contrary, if a local government was receiving in-kind-compensations or grants from an incumbent cable provider on the effective date of this Chapter, the holder of a state-issued certificate of franchise authority shall pay to each such local governmental subdivision in which the holder of a state-issued certificate of franchise authority is offering cable or video service fifteen cents per month for each subscriber served by the holder of a state-issued certificate of franchise authority within the municipality or unincorporated areas of the parish until the expiration date set forth in the incumbent cable service provider's franchise agreement that was in effect as of the effective date of this Chapter, at which time such payments shall end. If an incumbent cable service provider opts to apply for a state-issued certificate of franchise authority and terminate its existing franchise agreement with a local governmental subdivision, as provided in R.S. 45:1360, all holders of a state-issued certificate of franchise authority shall continue to make payments as provided in this Section until the date the incumbent cable service provider's franchise agreement would have expired had it not been terminated. Payments made pursuant to this Section shall be in lieu of any in-kind compensation and grants.

B. Payments under this Section shall be made in the same manner as and as a part of the certificate holder's payment of franchise fees pursuant to R.S. 45:1361, and all definitions, exemptions, and administrative provisions applicable to franchise fees shall apply to such payments.

C. The holder of a state-issued certificate of franchise authority may recover from the provider's customers any contributions or grants imposed by this Section.

D. All contributions or grants paid to local governmental subdivisions under this Section are paid in accordance with 47 U.S.C. § 531 and 541(a)(4)(B) and shall be used by the local governmental subdivision as allowed by federal law only to support the capital costs incurred for the construction and operation of public, educational, and governmental access channel content and facilities.

E. No franchise fees as required in R.S. 45:1361 shall apply to the in-kind contributions paid pursuant to this Section."

AMENDMENT NO. 13

On page 13, line 3, change "§1364." to "§1366."

AMENDMENT NO. 14

On page 13, line 23, change "§1365." to "§1367."

AMENDMENT NO. 15

On page 14, line 23, change "§1366." to "§1368."

AMENDMENT NO. 16

On page 15, line 1, change "§1367." to "§1369."

AMENDMENT NO. 17

On page 15, line 14, change "§1368." to "§1370."

AMENDMENT NO. 18

On page 15, between lines 20 and 21, insert the following:

"§1371. Right to seek declaratory judgment; procedure; notice

A. Because the legislature finds and declares that questions of law may be raised by some persons with respect to the constitutionality of some of the provisions of the Competitive Cable and Video Services Act, the public welfare requires that such questions of law be resolved with expedition in order to avoid disruption of the orderly implementation of its provisions. Therefore, the legislature finds that the remedy of declaratory judgment, through the use of an expedited proceeding tried by priority and preference, to determine the constitutionality of the provisions of the Competitive Cable and Video Services Act should be immediately made available in order to avoid confusion by the public. Therefore, any domiciliary of this state may institute an action in the Nineteenth Judicial District Court seeking a declaratory judgment, through the use of a summary proceeding tried by priority and preference, to determine the constitutionality of the provisions of the Competitive Cable and Video Services Act. Any such proceeding shall be filed within ninety days following the effective date of this Chapter.

B. The attorney general and the secretary of state shall be served with a copy of the proceeding and be entitled to be heard. Any interested party may file a request for notice with the secretary of state within fifteen days following the effective date of this Chapter. Upon being served with a copy of any proceeding filed pursuant to this Section, the secretary of state shall forward a copy of the proceeding to any interested party who has filed such a request

for notice. Any interested party shall be entitled to be heard at such proceeding.

C. In the interest of further expediting this procedure, the Nineteenth Judicial District Court, First Circuit Court of Appeal, and Louisiana Supreme Court are urged to minimize all unnecessary delays and may suspend all applicable rules of court in contravention hereof and for this limited purpose."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 699 by Representative Montgomery

AMENDMENT NO. 1

On page 9, lines 15 and 17, change "1360" to "1361"

AMENDMENT NO. 2

On page 14, line 7, change "1362" to "1363"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hollis and Ellington to Engrossed House Bill No. 699 by Representative Montgomery

AMENDMENT NO. 1

On page 4, line 6, after "services" insert "or video services"

AMENDMENT NO. 2

On page 4, line 7, after "information services" insert "but not excluding cable services or video services"

AMENDMENT NO. 3

On page 4, line 13, after "services" insert "or video services"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed House Bill No. 699 by Representative Montgomery

AMENDMENT NO. 1

On page 15, at the beginning of line 3, change "has" to "had"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed House Bill No. 699 by Representative Montgomery

AMENDMENT NO. 1

On page 6, line 20, after "delivered." insert the following:

"Nothing contained herein shall be construed to grant a cable or video service provider the right to construct facilities on private property without the consent of the owner. To the extent the owner's consent to the use of a public right-of-way for the construction and maintenance of public utilities or services is contained in any instrument establishing the right-of-way, no further consent of the owner shall be required to satisfy the provisions herein."

Rep. Montgomery moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	McVea
Alario	Frith	Montgomery
Alexander	Gallot	Morrish
Ansardi	Geymann	Odinot
Arnold	Glover	Pierre
Baldone	Gray	Pinac
Baudoin	Greene	Pitre
Baylor	Guillory, E.	Powell, M.
Beard	Guillory, M.	Powell, T.
Bowler	Hammett	Quezaire
Bruce	Harris	Richmond
Burns	Heaton	Ritchie
Burrell	Hebert	Robideaux
Carter, K.	Hill	Romero
Carter, R.	Honey	Scalise
Cazayoux	Hopkins	Schneider
Chandler	Hunter	Smiley
Crane	Hutter	Smith, G.
Cravins	Jackson	Smith, J.D.—50th
Crowe	Jefferson	Smith, J.H.—8th
Damico	Johns	Smith, J.R.—30th
Daniel	Katz	St. Germain
Dartez	Kenney	Strain
DeWitt	Kleckley	Thompson
Doerge	LaBruzzo	Toomy
Dorsey	LaFleur	Townsend
Dove	Lambert	Trahan
Durand	Lancaster	Triche
Erdey	Marchand	Waddell
Fannin	Martiny	Walker
Farrar	McDonald	White
Total - 93		

NAYS

Total - 0

ABSENT

Badon	Downs	Tucker
Barrow	Kennard	Walsworth
Bruneau	LaFonta	Winston
Curtis	Morrell	Wooton
Total - 12		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 813—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 33:3074(D)(5), relative to the city of Central; to provide for the termination of provisions for the Central Transition District and the levy of a sales tax by the district; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed House Bill No. 813 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 2, after "(D)(5)" delete the remainder of the line and insert "and Section 3 and Section 4 of Act 579 of the 2003 Regular Session of the Legislature of Louisiana Central; relative to the city of Central; to provide relative to the powers and duties of governing of the city of Central;"

AMENDMENT NO. 2

On page 1, line 4, after "district;" insert "to authorize the governing authority of the city of Central to enter into a cooperative endeavor agreement with the commissioner of administration and the secretary of the Department of Health and Hospitals relative to certain property;"

AMENDMENT NO. 3

On page 1, after line 20, insert the following:

"Section 2. Section 3 and Section 4 of Act No. 579 of the 2003 Regular Session of the Legislature of Louisiana is hereby amended and reenacted to read as follows:

Section 3. The commissioner of administration, and the secretary of the Department of Health and Hospitals notwithstanding any other provision of law to the contrary, are hereby authorized and empowered to enter into a cooperative endeavor with the city of Central and/or the Recreation and Park Commission for the Parish of East Baton Rouge providing for use of the following property:

Portions of the Greenwell Springs Tract situated in the parish of East Baton Rouge, State of Louisiana, being the eastern part of Section 49 and that part of Section 48, comprised within Letters "A", "M", "C", "E" in Township 5, South Range 3 East Greenburg District, Louisiana, containing one hundred sixty-one and 88/100 acres east of Greenwell Springs Road.

Section 4. The commissioner of administration, and the secretary of the Department of Health and Hospitals on behalf of the state of Louisiana, are hereby authorized to enter into a cooperative endeavor relative to the property described in Section 3 herein and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of administration and the city of Central and/or the Recreation and Park Commission for the Parish of East Baton Rouge."

AMENDMENT NO. 4

On page 2, line 1, change "Section 2." to "Section 3."

Rep. White moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrell
Alexander	Gallot	Morrish
Ansardi	Geymann	Odinot
Arnold	Glover	Pierre
Baldone	Gray	Pinac
Baudoin	Greene	Pitre
Baylor	Guillory, E.	Powell, M.
Beard	Guillory, M.	Powell, T.
Bowler	Hammett	Quezaire
Bruce	Harris	Richmond
Burns	Heaton	Ritchie
Burrell	Hebert	Robideaux

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Carter, R.	Hill	Romero
Cazayoux	Hopkins	Scalise
Chandler	Hunter	Smiley
Crane	Hutter	Smith, G.
Cravins	Jackson	Smith, J.D.—50th
Crowe	Jefferson	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	St. Germain
Daniel	Kennard	Strain
Dartez	Kenney	Thompson
DeWitt	Kleckley	Toomy
Doerge	LaBruzzo	Townsend
Dorsey	LaFleur	Trahan
Dove	LaFonta	Triche
Downs	Lancaster	Waddell
Durand	Marchand	Walker
Erdey	Martiny	White
Fannin	McDonald	
Farrar	McVea	

Total - 94

NAYS

Honey
Total - 1

ABSENT

Badon	Lambert	Winston
Barrow	Schneider	Wooton
Bruneau	Tucker	
Carter, K.	Walsworth	

Total - 10

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Honey, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 240: Reps. Greene, Quezaire, and Downs.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 699: Reps. Montgomery, Pinac, and Strain.

HOUSE BILL NO. 1175—

BY REPRESENTATIVE SALTER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 47:511.1(A) and to enact R.S. 11:607, relative to registration of vehicles; to provide relative to temporary permits authorizing the operation of trucks owned by residents of states which do not have a reciprocity agreement with Louisiana; to increase the fee for issuance of temporary permits authorizing the operation of such trucks on Louisiana highways; to provide relative to the terms of such temporary permits; to increase the number of hours the temporary permits authorize the operation of such trucks on Louisiana highways; to create the Department of Public Safety and Corrections Police Officer Fund; to provide for the use of such monies; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1175 by Representative Salter

AMENDMENT NO. 1

On page 2, line 9 change "seventy-two" to "forty-eight"

Rep. Quezaire moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Martiny
Alario	Fannin	McDonald
Alexander	Farrar	McVea
Ansardi	Faucheux	Montgomery
Arnold	Frith	Morrish
Badon	Gallot	Odinot
Baldone	Geymann	Pierre
Baudoin	Glover	Pinac
Baylor	Gray	Pitre
Beard	Greene	Powell, M.
Bowler	Guillory, E.	Powell, T.
Bruce	Guillory, M.	Quezaire
Bruneau	Hammett	Richmond
Burns	Harris	Ritchie
Burrell	Heaton	Robideaux
Carter, K.	Hebert	Smiley
Carter, R.	Hill	Smith, G.
Cazayoux	Honey	Smith, J.D.—50th
Chandler	Hopkins	Smith, J.H.—8th
Crane	Hunter	Smith, J.R.—30th
Cravins	Hutter	St. Germain
Crowe	Jackson	Strain
Curtis	Jefferson	Thompson
Damico	Johns	Toomy
Daniel	Katz	Townsend
Dartez	Kenney	Trahan
DeWitt	Kleckley	Triche
Doerge	LaBruzzo	Waddell
Dorsey	LaFleur	Walker
Dove	Lambert	White
Downs	Lancaster	
Durand	Marchand	

Total - 94

NAYS

Romero
Total - 1

ABSENT

Barrow	Scalise	Winston
Kennard	Schneider	Wooton
LaFonta	Tucker	
Morrell	Walsworth	

Total - 10

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

Recess

On motion of Rep. Dorsey, the Speaker declared the House at recess until 1:15 P.M.

After Recess

Speaker Salter called the House to order at 1:35 P.M.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Darte	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	
Fannin	McVea	

Total - 103

ABSENT

Winston	Wooton
Total - 2	

The Speaker announced there were 103 members present and a quorum.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 1394 (Substitute for House Bill No. 896 by Representative Walsworth)— BY REPRESENTATIVE WALSWORTH AN ACT

To enact R.S. 37:1302, relative to the practice of medicine; to allow a physician to discount the fee charged for health care services rendered to an uninsured individual; to provide any such discount granted by a contracted physician to an uninsured individual shall not reduce the contracted reimbursement amount between a physician and a health insurance issuer; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed House Bill No. 1394 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 2, change ""enact R.S. 37:1302" to "amend and reenact R.S. 37:766 and to enact R.S. 37:771.1 and 1302"

AMENDMENT NO. 2

On page 1, line 2, after "medicine" insert "and the practice of dentistry" and after "physician" insert "or dentist"

AMENDMENT NO. 3

On page 1, line 4, after "physician" insert "or dentist"

AMENDMENT NO. 4

On page 1, line 6, after "physician" insert "or dentist" and after "issuer;" insert "to provide for the supervision of dental hygienists;"

AMENDMENT NO. 5

On page 1, line 9, after "37:" insert "771.1 and" replace "is" with "are" and after "enacted" insert "and R.S. 37:766 is hereby amended and reenacted"

AMENDMENT NO. 6

On page 1, between lines 9 and 10, insert the following:

"§766. Hygienists, employment; operations limited.

Any licensed dentist licensed in Louisiana of good standing, public institution, or school authority may employ a licensed hygienist who may perform such duties as may be authorized by the board. A registered dental hygienist may operate ~~only in the office of a licensed dentist under his direct supervision on the premises, except that when employed by a public school or federal or state institution where health care is provided, the hygienist may operate under the general direction and supervision of a licensed dentist also employed by the public school or federal or state institution under a licensed Louisiana dentist's direct or general supervision as defined in LAC 46:XXXIII.108).~~ The licensed hygienist shall be responsible for providing notification to the board of the name and location of his employer.

* * *

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§771.1. Dentist fees; discount to an uninsured individual; effect on a dentist's contracted reimbursement amount

A. Notwithstanding any state or federal provisions to the contrary, a contracted dentist licensed to practice dentistry by the Louisiana State Board of Dentistry may offer a discount for a dental care services rendered to an uninsured individual. Any such discount granted by a contracted dentist to an uninsured individual shall not reduce the contracted reimbursement amount between a dentist and a health or dental insurance issuer for dental care services rendered to the issuer's enrollees, insureds and subscribers.

B. For the purposes of this Section:

(1) "Contracted dentist" means a dentist licensed to practice dentistry by the Louisiana State Board of Dentistry who has executed a direct, specific contract with a health insurance issuer.

(2) "Contracted reimbursement amount" means the quantity of remuneration a health or dental insurance issuer has agreed to pay a dentist for rendering dental care services in a direct, specific agreement between a dentist and a health or dental insurance issuer.

(3) "Enrollee," "insured" or "subscriber" means an individual who is enrolled or insured by a health or dental insurance issuer or who is subscribed to a dental service contractor for dental insurance coverage or prepaid dental services.

(4) "Health or dental insurance issuer" means any entity that offers health or dental insurance coverage through a policy, contract, dental benefit plan, or certificate of insurance subject to state law that regulates the business of insurance. For purposes of this Section, a "health or dental insurance issuer" shall include but not be limited to a dental service contractor as defined and certified pursuant to Part XXXIII of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950."

Rep. Walsworth moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Montgomery
Alario	Fannin	Morrell
Alexander	Farrar	Morrish
Ansardi	Faucheux	Odinot
Arnold	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Geymann	Pitre
Barrow	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Greene	Quezaire
Beard	Guillory, E.	Richmond
Bowler	Guillory, M.	Ritchie
Bruce	Hammett	Robideaux
Bruneau	Harris	Romero
Burns	Heaton	Scalise
Burrell	Hebert	Schneider
Carter, K.	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hopkins	Smith, J.D.—50th
Chandler	Hunter	Smith, J.H.—8th
Crane	Jackson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend

Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	
Durand	McDonald	

Total - 97

NAYS

Total - 0

ABSENT

Hutter	McVea	Winston
Jefferson	Smith, J.R.—30th	Wooton
Kennard	Tucker	
Total - 8		

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

HOUSE BILL NO. 1395 (Substitute for House Bill No. 1047 by Representative St. Germain)—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To enact R.S. 22:1405(J) and 1405.1 through 1405.3, relative to public fire protection grading; to provide for review of public fire protection grading; to provide for a board of review; to provide for powers and duties; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Reengrossed House Bill No. 1395 by Representative St. Germain

AMENDMENT NO. 1

On page 2, line 27 after "recorded," delete "A vote of at least three"

AMENDMENT NO. 2

On page 2, line 28 before "members" insert "The"

Rep. St. Germain moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	McDonald
Alario	Erdey	Montgomery
Alexander	Fannin	Morrell
Ansardi	Farrar	Odinot
Arnold	Faucheux	Pierre
Badon	Frith	Pitre
Baldone	Gallot	Powell, M.

Barrow	Geymann	Powell, T.
Baudoin	Glover	Quezaire
Baylor	Gray	Richmond
Beard	Greene	Ritchie
Bowler	Guillory, E.	Robideaux
Bruce	Guillory, M.	Romero
Bruneau	Hammett	Scalise
Burns	Harris	Schneider
Burrell	Hebert	Smiley
Carter, K.	Hill	Smith, G.
Carter, R.	Honey	Smith, J.D.—50th
Cazayoux	Hunter	Smith, J.H.—8th
Chandler	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	
Total - 95		

NAYS

Total - 0

ABSENT

Heaton	McVea	Winston
Hopkins	Morrish	Wooton
Hutter	Pinac	
Kennard	Smith, J.R.—30th	
Total - 10		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 22—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 13:783(F)(6), relative to the office of the clerk of court in Richland Parish; to require the payment of premium costs for certain life and group medical insurance for retired personnel; to require years of service; to provide for limitations; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 22 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 2, after "relative to the" change "offices of the clerk of court in Richland Parish" to "offices of the clerk of court in East Carroll Parish, Richland Parish, and Jefferson Davis Parish"

AMENDMENT NO. 2

On page 1, line 12, after "parishes of" change "East Carroll and Richland" to "East Carroll, Richland, and Jefferson Davis"

AMENDMENT NO. 3

On page 1, delete line 16, and insert in lieu thereof "East Carroll Parish clerk of court's office, the Richland Parish clerk of court's office, or the Jefferson Davis Parish clerk of court's"

AMENDMENT NO. 4

On page 1, delete line 19, and insert in lieu thereof "the clerk of court's office in either East Carroll Parish, Richland Parish, or Jefferson Davis Parish. The"

Rep. Thompson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alexander	Fannin	Montgomery
Arnold	Farrar	Morrell
Badon	Faucheux	Morrish
Baldone	Frith	Odinot
Barrow	Gallot	Pierre
Baudoin	Glover	Pitre
Baylor	Greene	Powell, M.
Beard	Guillory, E.	Quezaire
Bruce	Guillory, M.	Ritchie
Bruneau	Hammett	Robideaux
Burns	Heaton	Romero
Burrell	Hebert	Schneider
Carter, K.	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Crane	Jackson	St. Germain
Cravins	Jefferson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kennard	Townsend
Daniel	Kenney	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Walker
Dorsey	Lambert	Walsworth
Dove	Lancaster	White
Downs	Marchand	
Durand	McDonald	
Total - 85		

NAYS

Alario	Powell, T.
Bowler	Scalise
Total - 4	

ABSENT

Ansardi	Hutter	Smith, J.R.—30th
Chandler	Kleckley	Waddell
Geymann	Martiny	Winston
Gray	Pinac	Wooton
Harris	Richmond	
Hopkins	Smith, J.H.—8th	
Total - 16		

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

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On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

HOUSE BILL NO. 45—

BY REPRESENTATIVE TRICHE

AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 45 by Representative Triche

AMENDMENT NO. 1

On page 4, line 18, after "division" and before "or" insert a semi colon ";" and change "guard" to "security officer"

AMENDMENT NO. 2

On page 4, line 19, after "officers", delete the period "." and insert in lieu thereof a semicolon ";", and "or to any positions of the LSU health care services division."

Rep. Triche moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Montgomery
Alario	Fannin	Morrish
Alexander	Farrar	Odinot
Arnold	Faucheux	Pierre
Badon	Frith	Pitre
Baldone	Gallot	Powell, M.
Barrow	Geymann	Powell, T.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Harris	Romero
Bruneau	Heaton	Scalise
Burns	Hebert	Schneider
Burrell	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche

Doerge
Dorsey
Dove
Downs
Durand
Total - 92

Lambert
Lancaster
Marchand
McDonald
McVea

Tucker
Walker
Walsworth
White

NAYS

Total - 0

ABSENT

Ansardi
Carter, K.
Glover
Gray
Hopkins
Total - 13

Hutter
Kennard
Martiny
Morrell
Pinac

Waddell
Winston
Wooton

The amendments proposed by the Senate were concurred in by the House.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1395: Reps. St. Germain, Karen Carter, and Kleckley.

HOUSE BILL NO. 134—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Civil Procedure Articles 925(A)(2), 932(A), 1201(C), and 1672(C), relative to service of citation; to provide for waiver of the required request for service of citation under certain circumstances; to provide for the procedure to object to the failure to request the required service of citation; to provide for the effect of such exception; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Ansardi, the bill was returned to the calendar.

HOUSE BILL NO. 178—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:323(A), (B), and (D), relative to provisions affecting more than one retirement system; to provide with respect to participation in the Deferred Retirement Option Plan of certain retirement systems by certain persons; to allow certain terminated members to adjust the periods applicable to their participation in the plan under certain circumstances; to provide for participation in the plan upon reemployment; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed House Bill No. 178 by Representative Schneider

AMENDMENT NO. 1

On page 1, at the end of lines 18, 19 and 20 delete the period and insert ", and"

AMENDMENT NO. 2

On page 2, at the end of lines 1 through 7, delete the period and insert ", and"

Rep. Schneider moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	McDonald
Alario	Erdey	McVea
Alexander	Fannin	Montgomery
Ansardi	Farrar	Morrell
Arnold	Faucheux	Morrish
Badon	Frith	Odinot
Baldone	Gallot	Pierre
Barrow	Geymann	Pitre
Baudoin	Glover	Powell, M.
Baylor	Gray	Powell, T.
Beard	Greene	Quezaire
Bowler	Guillory, E.	Richmond
Bruce	Guillory, M.	Ritchie
Bruneau	Hammett	Robideaux
Burns	Harris	Scalise
Burrell	Hebert	Schneider
Carter, K.	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Total - 96		

NAYS

Romero
Total - 1

ABSENT

Heaton	Lambert	Winston
Hopkins	Pinac	Wooton
Hutter	Smith, J.H.—8th	
Total - 8		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 339—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 13:3667.1(A), 3667.3, and 4163(A)(1)(a) and (B) and to enact Code of Civil Procedure Article 1469(5) and Code of Criminal Procedure Article 740, relative to the attendance and testimony of legislators and legislative personnel

in certain court proceedings; to provide with respect to the issuance of orders compelling discovery; to provide with respect to the compulsory appearance and testimony of legislators and personnel during legislative sessions; to provide with respect to the issuance of subpoenas directing the testimony of matters of legislative speech and debate; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Jack Smith, the bill was returned to the calendar.

HOUSE BILL NO. 412—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(A)(3), (8), and (9), relative to medical malpractice; to revise the definitions of "patient", "malpractice", and "health care"; to provide for the inclusion of blood donors; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 412 by Representative Johns

AMENDMENT NO. 1

On page 1, line 12, change ", a nursing home resident" to "and a nursing home resident,"

Rep. Johns moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Fannin	Montgomery
Alexander	Farrar	Morrell
Ansardi	Faucheux	Morrish
Arnold	Frith	Odinot
Badon	Gallot	Pierre
Baldone	Geymann	Pitre
Barrow	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Greene	Quezaire
Beard	Guillory, E.	Richmond
Bowler	Guillory, M.	Ritchie
Bruce	Hammett	Robideaux
Bruneau	Harris	Romero
Burns	Hebert	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend

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Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	
Total - 98		

NAYS

Total - 0

ABSENT

Heaton	Pinac	Wooton
Hutter	Smith, J.H.-8th	
Jefferson	Winston	
Total - 7		

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

HOUSE BILL NO. 527—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:85(7), (10), and (11)(a) and (b)(iv), (v), and (vi), relative to appearance bonds; to provide for the time periods for certain actions in the procedure for the forfeiture and collection of appearance bonds and in the procedure for prohibiting the writing of those bonds; to provide with regard to enforcement and collection of judgments; to provide with regard to failure to satisfy judgments of bond forfeiture; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Ansardi, the bill was returned to the calendar.

HOUSE BILL NO. 535—

BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 9:5609, relative to prescription; to provide for a one-year prescriptive period of actions for actions on certain contracts to purchase or sell immovable property; to provide relative to recordation of contracts; to provide for effectiveness as to third parties; to provide for retroactive application; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 535 by Representative Gallot

AMENDMENT NO. 1

On page 1, delete lines 2 through 5 and insert

"To enact R.S. 9:5609 and 5645, relative to contracts to purchase, sell, exchange, or transfer immovable property; to provide relative to certain effects of peremption; to provide certain terms, conditions, and effects; to provide relative to recordation and reinscription and effects; to provide for application; to provide relative to prescription for certain actions; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 7, delete "is" and insert "and 5645 are"

AMENDMENT NO. 3

On page 1, delete lines 8 through 19 and insert

"§5609. Contracts to buy or sell; peremption of the effect of recordation; prescription for actions

A. The effect of recording in the conveyance records of a contract to buy or sell an immovable shall cease one year from the date of its recordation, unless prior thereto one of the parties to the contract causes it to be reinscribed in the same manner as the reinscription of a mortgage as provided by Article 3362 of the Civil Code. Such a reinscription shall continue the effect of recordation for one year and its effect may be renewed from time to time thereafter in the same manner. Except as provided in Paragraph B, the e

B. The filing of a notice of lis pendens of a suit to enforce a recorded contract to buy or sell the immovable that is then effective as provided in Paragraph A shall continue the effect of recordation in the manner and to the extent prescribed by Arts. 3751-3753 of the Code of Civil Procedure, and reinscription of the contract shall thereafter not be required or have effect.

C. A contract recorded pursuant to Paragraph A shall be cancelled from the records by the recorder upon the written request of any person after the effect of its inscription has ceased as herein provided or as provided by Art. 3753 of the Code of Civil Procedure.

* * *

§5645. Prescription of actions involving contract to sell or transfer immovable property

An action for the breach or other failure to perform a contract for the sale, exchange, or other transfer of an immovable is prescribed in five years."

AMENDMENT NO. 4

On page 2, delete lines 1 through 3 and insert

"Section 2. This Act shall become effective on August 15, 2007."

Rep. Gallot moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Fannin	Montgomery
Alexander	Farrar	Morrell
Ansardi	Faucheux	Morrish
Arnold	Gallot	Odinot
Badon	Geymann	Pierre
Baldone	Glover	Pitre

Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Total - 96		

NAYS

Total - 0

ABSENT

Chandler	Hutter	Smith, J.H.—8th
Frith	Lambert	Winston
Heaton	Pinac	Wooton
Total - 9		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 598—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Code of Civil Procedure Article 1293, relative to service of process by a private person; to provide for court discretion in appointing private process servers; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 598 by Representative Greene

AMENDMENT NO. 1

On page 1, line 9, at the beginning of the line insert "A."

AMENDMENT NO. 2

On page 1, line 15, at the beginning of the line insert "B."

Rep. Greene moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrell
Arnold	Frith	Morrish
Badon	Gallot	Odinot
Baldone	Geymann	Pierre
Barrow	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Powell, T.
Beard	Guillory, E.	Quezaire
Bruce	Guillory, M.	Richmond
Bruneau	Hammett	Ritchie
Burns	Harris	Robideaux
Burrell	Heaton	Romero
Carter, K.	Hebert	Scalise
Carter, R.	Hill	Schneider
Cazayoux	Honey	Smiley
Chandler	Hopkins	Smith, G.
Crane	Hunter	Smith, J.D.—50th
Cravins	Jackson	Smith, J.R.—30th
Crowe	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kennard	Toomy
Dartez	Kenney	Townsend
DeWitt	Kleckley	Trahan
Doerge	LaBruzzo	Triche
Dorsey	LaFonta	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Total - 96		

NAYS

Total - 0

ABSENT

Ansardi	LaFleur	Smith, J.H.—8th
Bowler	Lambert	Winston
Hutter	Pinac	Wooton
Total - 9		

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

HOUSE BILL NO. 134—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Civil Procedure Articles 925(A)(2), 932(A), 1201(C), and 1672(C), relative to service of citation; to provide for waiver of the required request for service of citation under certain circumstances; to provide for the procedure to object to the failure to request the required service of citation; to provide for the effect of such exception; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

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SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 134 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 1, after "may" and before "dismiss" insert "either"

AMENDMENT NO. 2

On page 2, delete lines 12 through 14 and insert:

"this Paragraph shall be expressly waived by a defendant upon the filing of a declinatory exception to petitioner's failure to request service of citation or upon failure to raise such objection in an answer."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 134 by Representative Martiny

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 6, 2006, on line 5, after "upon" insert "failing to raise objection through"

Rep. Martiny moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Downs	Marchand
Alario	Durand	Martiny
Alexander	Erdey	McDonald
Ansardi	Fannin	McVea
Arnold	Farrar	Morrell
Badon	Faucheux	Odinot
Baldone	Frith	Pierre
Barrow	Geymann	Pitre
Baudoin	Glover	Powell, M.
Baylor	Gray	Powell, T.
Beard	Greene	Quezaire
Bowler	Guillory, E.	Richmond
Bruce	Guillory, M.	Ritchie
Bruneau	Hammett	Robideaux
Burns	Harris	Romero
Burrell	Hebert	Scalise
Carter, K.	Hill	Schneider
Carter, R.	Honey	Smiley
Cazayoux	Hopkins	Smith, G.
Chandler	Hunter	Smith, J.D.—50th
Crane	Jackson	Strain
Cravins	Jefferson	Thompson
Crowe	Johns	Toomy
Curtis	Katz	Townsend
Damico	Kennard	Trahan
Daniel	Kenney	Triche
Dartez	Kleckley	Tucker
DeWitt	LaBruzzo	Waddell
Doerge	LaFleur	Walker
Dorsey	LaFonta	Walsworth
Dove	Lancaster	White

Total - 93

NAYS

Total - 0

ABSENT

Gallot	Montgomery	Smith, J.R.—30th
Heaton	Morrish	St. Germain
Hutter	Pinac	Winston
Lambert	Smith, J.H.—8th	Wooton
Total - 12		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

HOUSE BILL NO. 527—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:85(7), (10), and (11)(a) and (b)(iv), (v), and (vi), relative to appearance bonds; to provide for the time periods for certain actions in the procedure for the forfeiture and collection of appearance bonds and in the procedure for prohibiting the writing of those bonds; to provide with regard to enforcement and collection of judgments; to provide with regard to failure to satisfy judgments of bond forfeiture; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 527 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 17, change "one year" to "nine months"

AMENDMENT NO. 2

On page 2, line 4, change "one year" to "nine months"

AMENDMENT NO. 3

On page 3, line 7, change "one year" to "nine months"

AMENDMENT NO. 4

On page 3, line 10, in both places on the line change "ten" to "seven and one-half"

AMENDMENT NO. 5

On page 3, line 14, change "one year" to "nine month"

AMENDMENT NO. 6

On page 4, line 10, change "ten" to "seven and one-half"

AMENDMENT NO. 7

On page 4, line 11, change "ten" to "seven and one-half"

AMENDMENT NO. 8

On page 4, line 12, change "one year" to "nine months"

AMENDMENT NO. 9

On page 4, line 22, change "ten" to "seven and one-half"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 527 by Representative Martiny

AMENDMENT NO. 1

On page 3, line 6, following "appearance" insert "bond"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 527 by Representative Martiny

AMENDMENT NO. 1

Delete Senate committee amendments numbers 4, 6, 7, and 9 which were proposed by the Senate Committee on Judiciary B on June 6, 2006 and adopted by the Senate on June 7, 2006.

AMENDMENT NO. 2

On page 4, after line 27 insert the following:

"Section 2. The provisions of this Act shall apply only to actions filed on or after its effective date. Actions pending before the effective date of this Act shall be governed by prior law."

Rep. Martiny moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Fannin	Montgomery
Alexander	Farrar	Morrell
Ansardi	Faucheux	Odinot
Arnold	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Geymann	Pitre
Barrow	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Greene	Quezaire
Bowler	Guillory, E.	Richmond
Bruce	Guillory, M.	Ritchie
Bruneau	Hammett	Robideaux
Burns	Harris	Romero
Burrell	Hebert	Scalise
Carter, K.	Hill	Schneider
Carter, R.	Honey	Smiley
Cazayoux	Hunter	Smith, G.
Chandler	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Katz	Smith, J.R.—30th
Crowe	Kennard	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson

Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White

Total - 96

NAYS

Total - 0

ABSENT

Beard	Hutter	Waddell
Heaton	Johns	Winston
Hopkins	Morrish	Wooton

Total - 9

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

HOUSE BILL NO. 794—

BY REPRESENTATIVES M. POWELL, ALEXANDER, BAUDOIN, BAYLOR, BEARD, BRUCE, BURNS, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GEYMAN, GLOVER, GREENE, M. GUILLORY, HEBERT, HILL, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LANCASTER, MCDONALD, MCVEA, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To enact R.S. 29:731.2, relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act; to require any person applying to receive or receiving disaster assistance to provide identification information when requested to do so by a sheriff of the jurisdiction; to provide for consent to provide certain information when applying for emergency assistance grants; to require a state or local agency who receives personal identification information to provide the information to a sheriff upon request; to provide for exceptions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 794 by Representative M. Powell

AMENDMENT NO. 1

On page 1, line 5, after "jurisdiction" insert "under certain circumstances"

AMENDMENT NO. 2

On page 1, line 13, after "agency" insert "and who seeks to or is occupying space in an emergency shelter or emergency temporary residence"

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LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 794 by Representative M. Powell

AMENDMENT NO. 1

On page 2, line 10, following "of this" and before "shall not" change "Paragraph" to "Subsection"

Rep. Michael Powell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Odinot
Alexander	Faucheux	Pierre
Ansardi	Frith	Pinac
Arnold	Gallot	Pitre
Baldone	Geymann	Powell, M.
Barrow	Glover	Powell, T.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Harris	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	
Erdey	Montgomery	

Total - 94

NAYS

Total - 0

ABSENT

Badon	Hutter	St. Germain
Carter, K.	Jackson	Winston
Gray	Kennard	Wooton
Heaton	Morrish	

Total - 11

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 816—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 11:62(5)(b), 444(A)(2), and 450(B), relative to Department of Public Safety and Corrections peace officers who are members of the Louisiana State Employees' Retirement System; to provide for calculation of benefits; to provide for employee contributions; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 816 by Representative Salter

AMENDMENT NO. 1

On page 2, line 2 after "R.S. 11:444(A)(2)(b)" delete the remainder of the line and insert in lieu thereof "- 9%."

AMENDMENT NO. 2

On page 2, line 28 after "parole officers," and before "security officers" insert "and"

AMENDMENT NO. 3

On page 3, delete line 2 in its entirety and insert in lieu thereof "troopers, as provided in R.S."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 816 by Representative Salter

AMENDMENT NO. 1

On page 1, line 2 after "R.S." delete the remainder of the line and insert in lieu thereof "11:62(5)(b), 403(5)(a) and (b)(iii), 441(A)(1)(introductory paragraph), 444(A)(2), 450(B), and 461(B)(3)(a) and (b), relative to the Department of"

AMENDMENT NO. 2

On page 1, at the beginning of line 5 insert "average compensation; to provide for eligibility; to provide for"

AMENDMENT NO. 3

On page 1, line 11 after "R.S." delete the remainder of the line and insert in lieu thereof "11:62(5)(b), 403(5)(a) and (b)(iii), 441(A)(1)(introductory paragraph), 444(A)(2), 450(B), and 461(B)(3)(a) and (b)"

AMENDMENT NO. 4

On page 2 between lines 3 and 4 insert:

"§403. Definitions

The following words and phrases used in this Chapter shall have the following meanings, unless a different meaning is clearly required by the context:

* * *

(5)(a) "Average compensation", for a member whose first employment making him eligible for membership in the system began on or before June 30, 2006, and for any person who receives an additional benefit pursuant to R.S. ~~11:557, 582~~, 11:444(A)(2)(b), 557, 582, or 602 or R.S. 24:36, means the average annual earned compensation of a state employee for the thirty-six highest months of successive employment, or for the highest thirty-six successive joined months of employment where interruption of service occurred; however, average compensation for part-time employees who do not use thirty-six months of full-time employment for average compensation purposes shall be based on the base pay the part-time employee would have received had he been employed on a full-time basis.

(b) * * *

(iii) The provisions of this Subparagraph shall not apply to any person who receives an additional benefit pursuant to R.S. ~~11:557, 582~~, 11:444(A)(2)(b), 557, 582, or 602 or R.S. 24:36.

* * *

§441. Eligibility for retirement

A.(1) Any member hired on or before June 30, 2006, or who receives a benefit calculated pursuant to R.S. 11:444(A)(2) shall be eligible for retirement if he has:

* * *

AMENDMENT NO. 5

On page 3, between lines 6 and 7 insert:

"§461. Eligibility; certification

* * *

B. The board of trustees shall award disability benefits to eligible members who have been officially certified as disabled by the State Medical Disability Board. The disability benefit shall be determined as follows:

* * *

(3)(a) For any person whose employment first making him eligible for membership in the system occurred on or before June 30, 2006, or who has attained the age of sixty regardless of hire date, or who receives an additional benefit pursuant to R.S. ~~11:557~~ 11:444(A)(2)(b), 557, or R.S. 24:36, the disability retiree may retire under any of the regular retirement plans which applies to him.

(b) Any person who has not attained the age of sixty and whose employment first making him eligible for membership in the system occurred on or after July 1, 2006, shall receive a disability benefit equal to one and eight-tenths percent of average compensation for every year of creditable service. When the disability retiree attains the age of sixty, he shall receive his regular retirement benefit upon making application therefor to the board. The provisions of this Subparagraph shall not apply to any person who receives an additional benefit pursuant to R.S. ~~11:557~~ 11:444(A)(2)(b), 557, or R.S. 24:36.

* * *

Rep. Schneider moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pitre
Baldone	Geymann	Powell, M.
Baudoin	Glover	Powell, T.
Baylor	Gray	Quezaire
Beard	Greene	Richmond
Bowler	Guillory, E.	Ritchie
Bruce	Guillory, M.	Robideaux
Bruneau	Hammett	Romero
Burns	Harris	Scalise
Burrell	Hebert	Schneider
Carter, K.	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hopkins	Smith, J.D.—50th
Crane	Hunter	Smith, J.H.—8th
Cravins	Jackson	Smith, J.R.—30th
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White

Total - 90

NAYS

Total - 0

ABSENT

Badon	Hutter	Morrish
Barrow	Jefferson	Pinac
Chandler	Johns	St. Germain
Damico	Kennard	Winston
Heaton	Morrell	Wooton

Total - 15

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 41—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1152(J)(4), relative to the Louisiana School Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide for calculation of benefits upon termination of plan participation and employment; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Schneider, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Schneider gave notice of his intention to call Senate Bill No. 41 from the calendar for future action.

SENATE BILL NO. 43—

BY SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 11:779(C), 780(A), and 783(I)(1)(a), relative to the Teachers' Retirement System of Louisiana; to provide with respect to benefits; to provide for disability retirement; to provide for benefits for a survivor of a disability retiree; to provide for reexamination; to provide an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Schneider, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Schneider gave notice of his intention to call Senate Bill No. 43 from the calendar for future action.

SENATE BILL NO. 49—

BY SENATOR MARIONNEAUX

AN ACT

To enact Code of Civil Procedure Article 2168, relative to courts, appellate procedure and opinions; to provide that opinions of the supreme court and courts of appeal shall be published; and to provide for related matters.

Read by title.

Rep. LaFleur sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Engrossed Senate Bill No. 49 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 3, after "opinions;" delete the remainder of the line and on line 4, delete "published;" and insert "to provide for posting unpublished opinions of the court on Internet websites; to provide that such opinions may be cited; to provide for the form of such citation;"

AMENDMENT NO. 2

On page 1, delete lines 7 through 9 and insert the following:

"Art. 2168. Posting of unpublished opinions; citation

A. The unpublished opinions of the supreme court and the courts of appeal shall be posted by such courts on the Internet websites of such courts.

B. Opinions posted as required in this Article may be cited as authority and , if cited, shall be cited by use of the case name and number assigned by the posting court."

On motion of Rep. LaFleur, the amendments were adopted.

Rep. LaFleur moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pitre
Baldone	Gray	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Cazayoux	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Tucker
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	
Total - 89		

NAYS

Carter, R.
Total - 1

ABSENT

Badon	Greene	Pinac
Barrow	Heaton	Smith, J.H.—8th
Chandler	Hutter	Smith, J.R.—30th
Curtis	Morrell	Winston
Gallot	Morrish	Wooton
Total - 15		

The Chair declared the above bill was finally passed.

Rep. LaFleur moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jane Smith gave notice of her intention to call Senate Bill No. 611 from the calendar for future action.

SENATE BILL NO. 88—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1006(A)(1) and (B), relative to the Louisiana School Employees' Retirement System; to provide with respect to reemployment of retirees; to provide for limitation on earnings; to provide for payment to the system of amounts in excess of such limitation; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Schneider, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Schneider gave notice of his intention to call Senate Bill No. 88 from the calendar for future action.

SENATE BILL NO. 101—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 26:90(I) and (J) and 286(I) and (J), and to enact R.S. 26:90(K) and 286(K), relative to alcoholic beverages; to increase the penalties for selling alcoholic beverages to a minor; and to provide for related matters.

Read by title.

Rep. Jack Smith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Reengrossed Senate Bill No. 101 by Senator McPherson

AMENDMENT NO. 1

In Amendment No. 5 proposed by the House Committee on Judiciary and adopted by the House on June 6, 2006, on page 1, line 17, after "dollars" and before "imprisoned" change "and" to "or"

AMENDMENT NO. 2

In Amendment No. 5 proposed by the House Committee on Judiciary and adopted by the House on June 6, 2006, on page 1, line 18, after "months" insert a comma "," and "or both"

On motion of Rep. Jack Smith, the amendments were adopted.

Rep. Jack Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrish
Alario	Farrar	Odinot
Alexander	Faucheux	Pierre

Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Bruce
Bruneau
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey

Total - 86

Frith
Gallot
Glover
Gray
Greene
Guillory, E.
Guillory, M.
Hammett
Harris
Hill
Honey
Hopkins
Hunter
Jackson
Jefferson
Kenney
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
Montgomery
Morrell

NAYS

Bowler
Burns
Geymann
Hebert

Total - 10

Johns
Katz
Kleckley
McVea

ABSENT

Beard
Burrell
Chandler

Total - 9

Heaton
Hutter
Kennard

Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Romero
Scalise
Schneider
Smiley
Smith, J.D.—50th
Smith, J.H.—8th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Tucker
Waddell
Walker
Walsworth
White

Robideaux
Smith, G.

Smith, J.R.—30th
Winston
Wooton

The Chair declared the above bill was finally passed.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 122—

BY SENATOR MURRAY

AN ACT

To enact R.S. 33:2588, relative to municipal employees laid off due to the hurricanes of 2005; to provide a preference for displaced municipal employees; to provide for a termination date after which the preference shall no longer apply; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre

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Baldone	Glover	Pinac
Barrow	Gray	Pitre
Baudoin	Guillory, E.	Powell, M.
Baylor	Guillory, M.	Powell, T.
Beard	Hammett	Quezaire
Bowler	Harris	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Robideaux
Burns	Hill	Romero
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Jefferson	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Cravins	Katz	Smith, J.R.—30th
Crowe	Kennard	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Total - 96		

NAYS

Total - 0

ABSENT

Badon	Greene	Scalise
Chandler	Hutter	Winston
Dartez	Jackson	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Richmond moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 156— BY SENATOR ELLINGTON AND REPRESENTATIVE KENNEY AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the jurisdiction of city courts; to provide relative to the City Court of Winnsboro; to increase the jurisdictional amount in dispute in such court; and to provide for related matters.

Read by title.

Rep. Kenney sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kenney to Engrossed Senate Bill No. 156 by Senator Ellington

AMENDMENT NO. 1

On page 1 delete line 5 in its entirety

On motion of Rep. Kenney, the amendments were adopted.

Rep. Toomy sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Toomy to Engrossed Senate Bill No. 156 by Senator Ellington

AMENDMENT NO. 1

On page 2, after line 4, insert the following:

"Section 2. The Louisiana State Law Institute is directed, if both SB 156 and HB 422 of the 2006 Regular Session of the Louisiana Legislature are enacted into law, regardless of which one is enacted last, to merge and incorporate SB 156 into HB 422 in the appropriate paragraph for its jurisdictional amount in the correct alphabetical order."

On motion of Rep. Toomy, the amendments were adopted.

Rep. Kenney moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Ansardi	Frith	Morrish
Arnold	Gallot	Odinot
Badon	Geymann	Pierre
Baldone	Glover	Pinac
Baudoin	Gray	Pitre
Baylor	Greene	Powell, M.
Beard	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Hammett	Richmond
Bruneau	Harris	Ritchie
Burns	Hebert	Robideaux
Burrell	Hill	Romero
Carter, K.	Honey	Scalise
Carter, R.	Hopkins	Schneider
Cazayoux	Hunter	Smiley
Crane	Jefferson	Smith, G.
Cravins	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.H.—8th
Curtis	Kennard	Smith, J.R.—30th
Damico	Kenney	St. Germain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	
Total - 95		

NAYS

Total - 0

ABSENT

Alexander	Hutter	Winston
Barrow	Jackson	Wooton
Chandler	Strain	
Heaton	Trahan	
Total - 10		

The Chair declared the above bill was finally passed.

Rep. Kenney moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 134: Reps. Martiny, Ansardi, and Townsend.

SENATE BILL NO. 159— BY SENATOR ELLINGTON

AN ACT

To amend and reenact Section 7(B)(1) of Act No. 1225 of the 2003 Regular Session of the Legislature, relative to juvenile justice; to add Franklin Parish to the list of parishes that are to be provided with increased availability of alternative programs for adjudicated juveniles and with a community-based system of care for such juveniles residing in those listed parishes; and to provide for related matters.

Read by title.

Rep. Kenney moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrell
Ansardi	Frith	Morrish
Badon	Gallot	Odinot
Baldone	Geymann	Pierre
Barrow	Glover	Pinac
Baudoin	Gray	Pitre
Baylor	Greene	Powell, M.
Beard	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Harris	Richmond
Bruneau	Heaton	Ritchie
Burns	Hebert	Robideaux
Burrell	Hill	Romero
Carter, K.	Honey	Scalise
Carter, R.	Hopkins	Schneider
Cazayoux	Hunter	Smiley
Crane	Jackson	Smith, G.
Cravins	Jefferson	Smith, J.D.—50th
Crowe	Katz	St. Germain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	
Total - 95		

NAYS

Total - 0

ABSENT

Arnold	Johns	Winston
Chandler	Smith, J.H.—8th	Wooton
Hammett	Smith, J.R.—30th	
Hutter	Strain	
Total - 10		

The Chair declared the above bill was finally passed.

Rep. Kenney moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 169— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:969(G) and (I) and to enact R.S. 13:961(F)(1)(r), relative to court reporter fees in the Twenty-Ninth Judicial District Court; to authorize the judges en banc to set the fees for each page and for each copied page of transcribed testimony; and to provide for related matters.

Read by title.

Rep. Gary Smith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hutter to Engrossed Senate Bill No. 169 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, and after "and" and before "to" insert "980(D) and"

AMENDMENT NO. 2

On page 1, line 7, after "and (I)" and before "are" insert "980(D)"

AMENDMENT NO. 3

On page 3, after line 2, insert the following:

"§980. Court reporters for the Thirty-Fourth Judicial District

* * *

D. In all cases the reporter shall be paid a fee of ~~one dollar and fifty cents~~ as determined by a majority of the judges en banc which fee shall not exceed two dollars and seventy-five cents for each original thirty-two line page transcribed and, where a copy is requested by a litigant, shall furnish such copy and be paid a fee of ~~seventy-five~~ twenty-five cents for each page thereof. At the request of any of the parties to any proceedings, or at the order of a district judge, the court reporter shall transcribe all or part of the testimony or other matter taken down and shall furnish as many copies thereof as may be required by law for an appeal. The reporter, except when ordered by the judge, shall not be required to file or furnish any transcribed testimony until the transcription fee is paid. If those parties, or the judge, direct the original transcription, each party shall pay the expense of transcribing the testimony offered by him. No fee shall be allowed for transcribing matter other than testimony, objections and rulings thereon, bills, notes of evidence, and such other matters as may be ordered by the judge. All such fees shall be paid directly to the court reporter performing the service as additional compensation and shall be taxed as costs.

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In case the original transcription of the court reporter's notes shall be requested by a litigant, after judgment and for the purpose of an appeal, the whole cost of transcription shall be paid primarily by the requesting party, but ultimately shall be taxed as costs.

If any party refuses or fails to pay his share of the costs of transcription within a reasonable time, to be fixed by the court, the case shall be decided as if the testimony of that party had not been offered.

* * *

On motion of Rep. Gary Smith, the amendments were adopted.

Rep. Gary Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Badon	Geymann	Pierre
Baldone	Glover	Pinac
Barrow	Gray	Pitre
Baudoin	Greene	Powell, M.
Baylor	Guillory, E.	Powell, T.
Beard	Guillory, M.	Quezaire
Bowler	Harris	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Robideaux
Burns	Hill	Romero
Burrell	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Cazayoux	Hutter	Smith, G.
Chandler	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Darte	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	
Fannin	McVea	
Total - 100		

NAYS

Total - 0

ABSENT

Arnold	Smith, J.R.—30th	Wooton
Hammett	Winston	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Gary Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 181—

BY SENATOR JONES

AN ACT

To enact Subpart G of Part II of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2892.1 through 2892.9, relative to property adjudicated to a municipality; to provide for the authorization of the city of Monroe to adjudicate property; to provide for notice to the owner; to provide for the applicability to redemptive periods; to provide for a deposit of monies sufficient to cover the expenses of the sale, advertisement, taxes due and other costs associated with the sale; to provide for the sale or transfer of adjudicated property; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Hunter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 181 by Senator Jones

AMENDMENT NO. 1

On page 2, at the end of line 11, insert the following:

"The tax collector's determination of the amount of monies to be deposited by the purchaser shall be equal to the expenses of the sale, including advertising, taxes due, and other costs associated with such sale as evidence of good faith in the application."

AMENDMENT NO. 2

On page 2, line 14, after "tax debtor" delete "and other" and insert in lieu thereof the following:

"by registered or certified mail, postage prepaid, addressed to the tax debtor at his last known addresses. Other"

AMENDMENT NO. 3

On page 2, line 14, after "parties" insert "shall be notified"

AMENDMENT NO. 4

On page 2, line 20, after "The" insert "mailed notice and" and at the end of the line insert a semi colon ":" and "inclusive of the owner of record, if known, the tax lot, block number, and street addresses;"

AMENDMENT NO. 5

On page 2, line 21, after "Publication" insert "and mailing"

AMENDMENT NO. 6

On page 3, line 16, after "was" insert "appraised," and insert a comma "," after "advertised"

AMENDMENT NO. 7

On page 3, line 18, delete "for a particular amount"

AMENDMENT NO. 8

On page 3, line 19, after "advertised" insert "and offered"

AMENDMENT NO. 9

On page 3, line 24, after "deposited a" change "a certain" to "the requisite"

AMENDMENT NO. 10

On page 4, line 5, after "value" insert "and situs"

AMENDMENT NO. 11

On page 4, line 11, change "conduct" to "perfect"

AMENDMENT NO. 12

On page 4, at the end of line 26, delete "the period" and insert "on its advertisement. The minimum price in the second advertisement shall not be less than one-third of the appraised value, plus advertising costs, taxes owed, and other cost associated with the sale."

AMENDMENT NO. 13

On page 5, line 7, delete "condition" and insert in lieu thereof "the expenses of the sale, including advertising, taxes due, and other costs associated with the sale"

On motion of Rep. Hunter, the amendments were adopted.

Rep. Hunter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Geymann	Pitre
Barrow	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Greene	Quezaire
Beard	Guillory, E.	Richmond
Bowler	Guillory, M.	Ritchie
Bruce	Harris	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Chandler	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	

Total - 98

NAYS

Total - 0

ABSENT

Arnold	Hebert	Wooton
Hammett	Lambert	
Heaton	Winston	
Total - 7		

The Chair declared the above bill was finally passed.

Rep. Hunter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 214—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:2500(C)(1), relative to municipal courts; to provide for penalties for the violation of a municipal ordinance in New Orleans; and to provide for related matters.

Read by title.

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Bruce	Harris	Richmond
Bruneau	Hebert	Ritchie
Burrell	Hill	Robideaux
Carter, K.	Honey	Romero
Carter, R.	Hopkins	Smiley
Cazayoux	Hunter	Smith, G.
Chandler	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	McDonald	White
Erdey	McVea	
Fannin	Montgomery	
Total - 91		

NAYS

Bowler	Schneider
Scalise	Strain
Total - 4	

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ABSENT

Arnold	Hammett	Winston
Beard	Heaton	Wooton
Burns	Katz	
Gray	Martiny	
Total - 10		

The Chair declared the above bill was finally passed.

Rep. Richmond moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 226—

BY SENATOR N. GAUTREAUX

AN ACT

To repeal R.S. 13:2583(D), relative to constables; to remove the mandatory age requirement at which constables must retire; and to provide for related matters.

Read by title.

Rep. Fauchaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Morrish
Alexander	Fauchaux	Odinot
Ansardi	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Geymann	Pitre
Barrow	Glover	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Chandler	Jefferson	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Cravins	Kennard	St. Germain
Crowe	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	
Erdey	Montgomery	
Total - 97		

NAYS

Total - 0

ABSENT

Arnold	Hunter	Winston
--------	--------	---------

Gray	Johns	Wooton
Hammett	Toomy	
Total - 8		

The Chair declared the above bill was finally passed.

Rep. Fauchaux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 245—

BY SENATOR MICHOT

AN ACT

To enact R.S. 33:2738.85, relative to the sales and use tax of political subdivisions; to authorize certain governing authorities of certain parishes to increase the rate of their sales tax if approved by the electorate of the parish; and to provide for related matters.

Read by title.

Rep. Pierre sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pierre to Engrossed Senate Bill No. 245 by Senator Michot

AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 6, 2006, on page 1, line 18, after "tax" delete "rate"

AMENDMENT NO. 2

On page 1, line 13, change "one percent sales and use tax" to "sales and use tax of up to one percent"

On motion of Rep. Pierre, the amendments were adopted.

Rep. Pierre moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Fauchaux	Morrish
Ansardi	Frith	Odinot
Badon	Gallot	Pierre
Baldone	Geymann	Pinac
Barrow	Glover	Pitre
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Chandler	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain

Cravins	Katz	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	
Total - 95		

NAYS

Powell, M.
Total - 1

ABSENT

Arnold	Hammett	Scalise
Downs	Johns	Winston
Greene	Kennard	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Pierre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

SENATE BILL NO. 317—

BY SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 11:2179, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to benefit limits; to provide for maximum benefits; to provide for benefit adjustment based on age and years of service; to authorize the board of trustees to establish a trust for compliance with requirements of the Internal Revenue Code; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Badon	Geymann	Pierre
Baldone	Glover	Pinac
Barrow	Gray	Pitre
Baudoin	Greene	Powell, M.
Baylor	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Harris	Richmond
Bruneau	Hebert	Ritchie
Burns	Hill	Robideaux
Burrell	Honey	Romero
Carter, K.	Hopkins	Scalise

Carter, R.	Hunter	Schneider
Cazayoux	Hutter	Smiley
Chandler	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	St. Germain
Damico	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Total - 99		

NAYS

Total - 0

ABSENT

Arnold	Hammett	Winston
Beard	Heaton	Wooton
Total - 6		

The Chair declared the above bill was finally passed.

Rep. Schneider moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 376—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 11:105(D), relative to provisions affecting more than one system; to provide for employer contributions; to provide for maintaining rates; to allow the Clerks' of Court Retirement and Relief Fund to reamortize certain unfunded accrued liabilities; to provide for approval of such reamortization; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Schneider moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McDonald
Alario	Fannin	McVea
Alexander	Farrar	Montgomery
Ansardi	Faucheux	Morrell
Arnold	Frith	Morrish
Badon	Gallot	Odinot
Baldone	Geymann	Pierre
Barrow	Glover	Pinac
Baudoin	Gray	Pitre
Baylor	Greene	Powell, M.
Beard	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Hammett	Ritchie
Bruneau	Hebert	Robideaux
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley

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Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Total - 99		

NAYS

Total - 0

ABSENT

Harris	Richmond	Winston
Heaton	Romero	Wooton
Total - 6		

The Chair declared the above bill was finally passed.

Rep. Schneider moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 412— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 51:2133(A)(1) and (3) and (C), relative to the Child Performance Trust Act; to provide for the placing of a portion of gross earnings of a minor under contract for artistic or creative services in a trust account; to provide for financial institutions in which such a trust fund may be created; to provide for the charging of reasonable fees by a financial institution providing services as a fiduciary or trustee; to provide for which institutions operating in Louisiana may serve as a trustee of such a trust fund; and to provide for related matters.

Read by title.

Rep. Greene moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise

Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	
Fannin	McVea	
Total - 103		

NAYS

Total - 0

ABSENT

Winston	Wooton
Total - 2	

The Chair declared the above bill was finally passed.

Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 428—

BY SENATORS AMEDEE AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 13:691(B)(3), and to enact R.S. 13:10.4, relative to judges; to provide with regard to the level of payment of premiums for health insurance for judges; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Smiley, the bill was returned to the calendar.

SENATE BILL NO. 454—

BY SENATORS ELLINGTON AND SMITH
AN ACT

To enact Chapter 23-A of Title 3 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3751 and 3752, relative to the right of Louisiana farmers to supply Louisiana feedstock to renewable fuel manufacturing facilities operating in Louisiana; to encourage the use of Louisiana harvested crops in the production of renewable fuels in Louisiana; to require operators of renewable fuel manufacturing facilities to provide notice of operation and contact information for the purchase of Louisiana feedstock; to require the collection and dissemination of information regarding the purchases of Louisiana feedstock in the manufacture of renewable fuels; to require the collection and dissemination of information regarding the sales of renewable fuels by Louisiana manufacturers; and to provide for related matters.

Read by title.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 454 by Senator Ellington

AMENDMENT NO. 1

On page 3, between liens 19 and 20, insert the following:

"(4) In an effort to enable the renewable fuel plants in operation in Louisiana to systematically increase the use of Louisiana crops as feedstock over time as provided in this Subsection, the provisions of R.S. 3:4674 shall be implemented six months after the average delivered price of Louisiana-manufactured ethanol is no more than ten cents per gallon greater than the average Louisiana wholesale price of gasoline for a period of at least one hundred eighty days as determined by the secretary of the Louisiana Department Revenue. The secretary shall provide public notice of such determination in the official journal of the state of Louisiana."

Point of Order

Rep. Kenney asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

Rep. Daniel moved the adoption of the amendments.

Rep. Fannin objected.

By a vote of 68 yeas and 28 nays, the amendments were adopted.

Motion

On motion of Rep. Fannin, the bill, as amended, was returned to the calendar.

SENATE BILL NO. 601—

BY SENATOR N. GAUTREAUX

AN ACT

To enact Chapter 5-O of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.121 through 380.126, and R.S. 36:744(Z) and 801.19, relative to museums; to establish the Louisiana Military Hall of Fame and Museum in the Department of State; to provide for location of the facility; to provide for a governing board, membership, appointment, and compensation; to provide for duties and powers of the board; to provide for operating funds and appropriations by the legislature; to provide for donations, loans, disposition of property, and use of collections; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed Senate Bill No. 601 by Senator N. Gautreaux

AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 6, 2006, on line 13, after "approval of" delete "a super majority" and insert "two-thirds"

On motion of Rep. Hebert, the amendments were adopted.

Rep. Frith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Hammett	Quezaire
Baudoin	Harris	Richmond
Baylor	Heaton	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hunter	Schneider
Burns	Hutter	Smiley
Burrell	Jackson	Smith, G.
Carter, K.	Jefferson	Smith, J.D.—50th
Carter, R.	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Chandler	Kenney	St. Germain
Crane	Kleckley	Strain
Cravins	LaBruzzo	Thompson
Damico	LaFleur	Toomy
Daniel	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	White
Farrar	Morrell	

Total - 95

NAYS

Total - 0

ABSENT

Crowe	Gallot	Winston
Curtis	Guillory, M.	Wooton
Dartez	Hopkins	
DeWitt	Kennard	

Total - 10

The Chair declared the above bill was finally passed.

Rep. Frith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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SENATE BILL NO. 622—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:1448(S), relative to group insurance; to provide for the payment of group insurance for certain retired sheriffs or deputy sheriffs who retired from the Franklin Parish Sheriffs's Office; and to provide for related matters.

Read by title.

Rep. Kenney moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McDonald
Alario	Farrar	McVea
Alexander	Faucheux	Montgomery
Ansardi	Frith	Morrell
Arnold	Gallot	Odinot
Badon	Geymann	Pierre
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Schneider
Burns	Hebert	Smiley
Burrell	Hill	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Chandler	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Downs	Lancaster	Walsworth
Durand	Marchand	White
Erdey	Martiny	
Total - 95		

NAYS

Total - 0

ABSENT

Curtis	Morrish	Winston
Dove	Pinac	Wooton
Honey	Romero	
Kennard	Scalise	
Total - 10		

The Chair declared the above bill was finally passed.

Rep. Kenney moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 640—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 33:4711.1, relative to the sale of surplus movable property; to authorize Internet sales by political subdivisions; and to provide for related matters.

Read by title.

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Fannin	Montgomery
Alexander	Farrar	Morrell
Ansardi	Faucheux	Odinot
Arnold	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Romero
Burns	Hebert	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Total - 99		

NAYS

Total - 0

ABSENT

Geymann	Kleckley	Winston
Kennard	Morrish	Wooton
Total - 6		

The Chair declared the above bill was finally passed.

Rep. Richmond moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 643—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 13:996.52(A), relative to courts; to provide for the judicial expense fund for the Thirty-Eighth Judicial District Court; to increase court costs collected from a defendant who is convicted after trial, after plea of guilty, or who forfeits bond; and to provide for related matters.

Read by title.

Rep. Frith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Harris	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Chandler	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	

Total - 98

NAYS

Total - 0

ABSENT

Downs	Kennard	Wooton
Gray	Morrish	
Heaton	Winston	

Total - 7

The Chair declared the above bill was finally passed.

Rep. Frith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 658—
BY SENATOR ROMERO

AN ACT

To enact R.S. 33:2495.1, relative to civil service; to provide relative to municipal fire and police civil service systems; to provide for continuance of certain municipal fire and police civil service systems under certain circumstances; to provide certain requirements, terms, and conditions; and to provide for related matters.

Read by title.

Rep. Hebert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Chandler	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	

Total - 98

NAYS

Total - 0

ABSENT

Dartez	Kennard	Wooton
Frith	Morrish	
Guillory, M.	Winston	

Total - 7

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

Rep. Hebert moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

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SENATE BILL NO. 663—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 25:214.4, relative to the Vermilion Parish Library Board of Control; to provide for membership and representation on the board; to provide for duties and powers of the board; to provide for Senate confirmation; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Frith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White

Total - 99

NAYS

Total - 0

ABSENT

Damico	Kennard	Winston
Gray	Kenney	Wooton

Total - 6

The Chair declared the above bill was finally passed.

Rep. Frith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 684—

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 33:4702(B)(2), (6) and (7), (C), (E)(1), (F) through (J), the introductory paragraph of R.S. 33:4703(C) and (C)(4), (7), (8), (9), (10), (11), (13) and (14), 4706(A), 4707(A)(1) through (10), (B) through (S), 4708(B), (C) and (D); to enact R.S. 33:4703(C)(15) through (18), 4707(A)(11) and (12), and (T) through (W); and to repeal R.S. 33:4702(E)(4) and (5) and 4880, relative to the New Orleans Regional Business Park; to provide with respect to the initial terms of the members appointed to the board; to provide with respect to removal of members of the board; to provide for an executive director; to provide with respect to plans submitted by the board and the process related to such plans; to provide with respect to incurring debt and the limitation on bonded indebtedness; to provide with respect to the board of liquidation; to provide with respect to the character of the designated project areas; to provide with respect to the authorization of taxes and the issuance and sale of bonds and other instruments of indebtedness; to provide with respect to the use of district funds; to define terms; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Richmond, the bill was returned to the calendar.

SENATE BILL NO. 709—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4720.55(D), (E), (F)(1), 4720.57(F), 4720.71(1) through (21) and to enact R.S. 33:4720.57(G), 4720.71(22) through (30), and 4720.71.1, relative to the composition of the board of commissioners of the New Orleans Redevelopment Authority; to provide for the number of commissioners; to provide for the method of appointment of commissioners; to provide for the terms of commissioners; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Gray, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Gray gave notice of her intention to call Senate Bill No. 709 from the calendar for future action.

SENATE BILL NO. 744 (Substitute of Senate Bill No.24 by

Senator Nevers)—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1552 (B)(6) and (7), relative to unemployment compensation; to provide with respect to contributions; to provide for reimbursement of unemployment compensation benefits charged to state and local governments and eligible nonprofit organizations during a gubernatorially declared disaster or emergency; to provide for deferment of payments; to provide for the waiver of penalty and interest; to provide for extended payment terms; and to provide for related matters.

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	
Farrar	Montgomery	

Total - 100

NAYS

Total - 0

ABSENT

Ansardi	Kennard	Wooton
Chandler	Winston	

Total - 5

The Chair declared the above bill was finally passed.

Rep. Hunter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 745 (Substitute of Senate Bill No. 516 by Senator Nevers)—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:1195(A)(5), relative to group self-insurance funds for workers' compensation; to provide with respect to authorization, trade or professional association and initial financial requirements; to provide for the location of arrangements to pool liabilities to employees on account of personal injury and occupational disease arising out of or incurred during the course and scope of the employment relationship; and to provide for related matters.

Read by title.

Rep. Tank Powell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Chandler	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	
Fannin	Montgomery	

Total - 100

NAYS

Total - 0

ABSENT

Doerge	Kennard	Wooton
Harris	Winston	

Total - 5

The Chair declared the above bill was finally passed.

Rep. Tank Powell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 6—
BY SENATOR SHEPHERD

AN ACT

To enact R.S. 40:1614, relative to fire protection; to require all mattresses and box springs sold in Louisiana to be fire retardant; to provide for open flame resistance standards; and to provide for related matters.

Read by title.

Rep. Harris moved the final passage of the bill.

ROLL CALL

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The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Romero
Burns	Hebert	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	
Fannin	Montgomery	
Total - 100		

NAYS

Total - 0

ABSENT

Badon	Lambert	Wooton
Kennard	Winston	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Harris moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 7— BY SENATOR NEVERS

AN ACT

To amend and reenact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21 and 557.22, relative to agricultural and seafood products; to require state agencies to assist the Department of Economic Development in the development, registration, and licensing of any trademark or label for use in promoting Louisiana agricultural and seafood products; to authorize the Department of Economic Development to sell licenses for such trademarks or labels; to create the Agricultural and Seafood Products Support Fund; to provide for the use of monies in the fund; to require the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Strain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Martiny
Alario	Fannin	McDonald
Alexander	Farrar	McVea
Ansardi	Faucheux	Montgomery
Arnold	Frith	Morrell
Badon	Gallot	Odinot
Baldone	Geymann	Pierre
Barrow	Glover	Pinac
Baudoin	Gray	Pitre
Baylor	Greene	Powell, M.
Beard	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Hammett	Richmond
Bruneau	Harris	Ritchie
Burns	Heaton	Robideaux
Burrell	Hebert	Romero
Carter, K.	Hill	Scalise
Carter, R.	Honey	Schneider
Cazayoux	Hopkins	Smiley
Chandler	Hunter	Smith, G.
Crane	Hutter	Smith, J.D.—50th
Cravins	Jackson	Smith, J.H.—8th
Crowe	Jefferson	Smith, J.R.—30th
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Tucker
Dove	Lambert	Walker
Downs	Lancaster	Walsworth
Durand	Marchand	White
Total - 99		

NAYS

Total - 0

ABSENT

Kennard	St. Germain	Winston
Morrish	Waddell	Wooton
Total - 6		

The Chair declared the above bill was finally passed.

Rep. Strain moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 95— BY SENATOR BROOME

AN ACT

To enact R.S. 40:600.6(A)(4)(b)(x) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.27 and 600.28, relative to the Louisiana Housing Finance Agency; to create the Louisiana Habitat for Humanity Loan Purchase Program; to provide for the purposes, funding, and procedures of the loan purchase program; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Bowler	Hammett	Richmond
Bruce	Harris	Ritchie
Bruneau	Heaton	Robideaux
Burns	Hebert	Romero
Burrell	Hill	Scalise
Carter, K.	Honey	Schneider
Carter, R.	Hopkins	Smiley
Cazayoux	Hunter	Smith, G.
Chandler	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Daniel	Kenney	Thompson
Dartez	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	
Total - 98		

NAYS

Total - 0

ABSENT

Beard	Lambert	Wooton
Damico	Waddell	
Kennard	Winston	
Total - 7		

The Chair declared the above bill was finally passed.

Rep. St. Germain moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 137—

BY SENATORS DUPRE AND MURRAY

AN ACT

To amend and reenact R.S. 49:220.6, relative to the Louisiana Recovery Authority; to provide for the expenditure or disbursement of hazard mitigation grant funds; to provide for the expenditure or disbursement of such fund to certain parishes; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	McDonald
Alario	Erdey	Montgomery
Alexander	Fannin	Morrell
Ansardi	Farrar	Morrish
Arnold	Faucheux	Odinot
Badon	Frith	Pinac
Baldone	Gallot	Powell, M.
Barrow	Geymann	Powell, T.
Baudoin	Glover	Quezaire
Baylor	Gray	Richmond
Beard	Greene	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
Burns	Heaton	Schneider
Burrell	Hebert	Smiley
Carter, K.	Hill	Smith, G.
Carter, R.	Hopkins	Smith, J.D.—50th
Cazayoux	Hunter	Smith, J.H.—8th
Chandler	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Walker
Dorsey	Lambert	White
Dove	Marchand	
Downs	Martiny	
Total - 91		

NAYS

Total - 0

ABSENT

Crane	Lancaster	Waddell
Guillory, E.	McVea	Walsworth
Honey	Pierre	Winston
Hutter	Pitre	Wooton
Kennard	Tucker	
Total - 14		

The Chair declared the above bill was finally passed.

Rep. Baldone moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 140—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:154(A)(3), relative to unclaimed property; to reduce the time period under which certain stocks and related distributions are presumed abandoned; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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Mr. Speaker	Doerge	Montgomery
Alario	Downs	Morrell
Alexander	Durand	Odinet
Ansardi	Farrar	Pierre
Arnold	Faucheux	Pinac
Badon	Frith	Powell, T.
Baldone	Gallot	Quezaire
Barrow	Gray	Ritchie
Baudoin	Guillory, M.	Smith, J.D.—50th
Baylor	Hammett	Smith, J.H.—8th
Bruce	Hill	St. Germain
Burrell	Honey	Strain
Carter, R.	Hopkins	Thompson
Cazayoux	Hunter	Townsend
Cravins	Hutter	Triche
Curtis	LaFonta	Waddell
Daniel	Lambert	White
Dartez	Marchand	
DeWitt	McDonald	
Total - 55		

NAYS

Beard	Jackson	Robideaux
Bowler	Johns	Scalise
Bruneau	Katz	Schneider
Burns	Kenney	Smiley
Chandler	LaBruzzo	Smith, G.
Crane	Lancaster	Toomy
Crowe	Pitre	Trahan
Erdey	Powell, M.	Tucker
Greene	Richmond	Walsworth
Total - 27		

ABSENT

Carter, K.	Harris	McVea
Damico	Heaton	Morrish
Dorsey	Hebert	Romero
Dove	Jefferson	Smith, J.R.—30th
Fannin	Kennard	Walker
Geymann	Kleckley	Winston
Glover	LaFleur	Wooton
Guillory, E.	Martiny	
Total - 23		

The Chair declared the above bill was finally passed.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Odinet, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

Suspension of the Rules

On motion of Rep. Morrell, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

Suspension of the Rules

Rep. Morrell moved for a suspension of the rules in order to take up out of its regular order House Bill No. 1289 at this time.

Rep. Walsworth objected.

By a vote of 66 yeas and 16 nays, the rules were suspended.

HOUSE BILL NO. 1289—

BY REPRESENTATIVES MORRELL, ANSARDI, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BURNS, BURRELL, K. CARTER, DANIEL, DARTEZ, DORSEY, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MCDONALD, ODINET, PIERRE, QUEZAIRE, RICHMOND, ROMERO, SCHNEIDER, JANE SMITH, ST. GERMAIN, AND TRAHAN

AN ACT

To amend and reenact R.S. 22:629 and to enact R.S. 22:658.3, relative to insurance claims; to provide relative to certain time limitations on actions; to extend the time for filing certain insurance claims for damages arising from hurricane activity; to provide for an emergency effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Reengrossed House Bill No. 1289 by Representative Morrell

AMENDMENT NO. 1

On page 3, between lines 2 and 3, insert:

"Section 3. The attorney general is hereby directed to file suit within ten days of the effective date of this Act seeking declaratory judgement to determine the constitutionality of the provisions of this Act or the constitutionality of Acts 2006, No. __ that originated as House Bill No. 1302 or Acts 2006, No. __ that originated as Senate Bill No. 740, and such suit shall seek to determine the constitutionality of any or all of these Acts."

AMENDMENT NO. 2

On page 3, line 3, change "Section 3." to "Section 4."

Rep. Morrell moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. Bowler moved that the amendments proposed by the Senate be rejected.

Rep. Morrell objected.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Geymann	Lancaster
Baudoin	Greene	McVea
Beard	Jackson	Powell, M.
Bowler	Johns	Powell, T.
Cravins	Katz	Scalise
Downs	Kleckley	Smiley
Erdey	LaBruzzo	Walsworth
Total - 21		

NAYS

Mr. Speaker	Dove	McDonald
Alario	Durand	Montgomery
Ansardi	Fannin	Morrell
Arnold	Farrar	Odinot
Badon	Faucheux	Pierre
Baldone	Frith	Pitre
Barrow	Gallot	Quezaire
Baylor	Glover	Richmond
Bruce	Gray	Ritchie
Bruneau	Guillory, E.	Robideaux
Burns	Guillory, M.	Romero
Burrell	Hammett	Schneider
Carter, K.	Harris	Smith, G.
Carter, R.	Heaton	Smith, J.D.—50th
Cazayoux	Hebert	Smith, J.H.—8th
Chandler	Hill	St. Germain
Crane	Honey	Strain
Crowe	Hopkins	Thompson
Curtis	Hunter	Toomy
Damico	Hutter	Townsend
Daniel	Jefferson	Trahan
Dartez	Kenney	Waddell
DeWitt	LaFleur	Walker
Doerge	LaFonta	White
Dorsey	Marchand	
Total - 74		

ABSENT

Kennard	Pinac	Winston
Lambert	Smith, J.R.—30th	Wooton
Martiny	Triche	
Morrish	Tucker	
Total - 10		

The House refused to reject the amendments.

Rep. Morrell insisted on his motion that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Downs	Marchand
Alario	Durand	McDonald
Alexander	Fannin	McVea
Ansardi	Farrar	Montgomery
Arnold	Faucheux	Morrell
Badon	Frith	Odinot
Baldone	Gallot	Pierre
Barrow	Geymann	Pinac
Baudoin	Glover	Pitre
Baylor	Gray	Powell, T.
Bruce	Greene	Richmond
Bruneau	Guillory, E.	Ritchie
Burns	Guillory, M.	Robideaux
Burrell	Hammett	Romero
Carter, K.	Harris	Schneider
Carter, R.	Heaton	Smith, G.
Cazayoux	Hebert	Smith, J.D.—50th
Chandler	Hill	Smith, J.H.—8th
Crane	Hopkins	Smith, J.R.—30th
Cravins	Hunter	St. Germain
Crowe	Hutter	Strain
Curtis	Jackson	Thompson
Damico	Jefferson	Toomy
Daniel	Johns	Townsend

Dartez	Kenney	Trahan
DeWitt	Kleckley	Waddell
Doerge	LaFleur	Walker
Dorsey	LaFonta	White
Dove	Lancaster	
Total - 86		

NAYS

Bowler	Lambert	Walsworth
Erdey	Powell, M.	
Katz	Smiley	
Total - 7		

ABSENT

Beard	Martiny	Triche
Honey	Morrish	Tucker
Kennard	Quezaire	Winston
LaBruzzo	Scalise	Wooton
Total - 12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 339—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 13:3667.1(A), 3667.3, and 4163(A)(1)(a) and (B) and to enact Code of Civil Procedure Article 1469(5) and Code of Criminal Procedure Article 740, relative to the attendance and testimony of legislators and legislative personnel in certain court proceedings; to provide with respect to the issuance of orders compelling discovery; to provide with respect to the compulsory appearance and testimony of legislators and personnel during legislative sessions; to provide with respect to the issuance of subpoenas directing the testimony of matters of legislative speech and debate; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 339 by Representative Townsend

AMENDMENT NO. 1

On page 1, at the end of line 2, add "R.S. 49:956.1,"

AMENDMENT NO. 2

On page 1, line 5, between "court" and "proceedings" insert "and administrative"

AMENDMENT NO. 3

On page 2, at the end of line 6, add "or at administrative proceedings"

AMENDMENT NO. 4

On page 2, at the end of line 10, insert "or administrative"

AMENDMENT NO. 5

On page 2, line 17, at the beginning of the line, change "a" to "the" and between "employee" and "is" insert "whose attendance is sought"

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AMENDMENT NO. 6

On page 2, line 21, between "court" and ", hearing" insert "or at administrative proceeding"

AMENDMENT NO. 7

On page 3, line 15, between "any" and "case" insert "civil or criminal" and delete "or administrative hearing"

AMENDMENT NO. 8

On page 3, delete lines 26 through 29 in their entirety and insert in lieu thereof:

"(b)(i) Any judge on his own motion seeking to compel the attendance of a member of the Louisiana Legislature, in his capacity as a state lawmaker, as a witness or deponent in any civil or criminal case shall enter into the record his intent to compel such attendance. Thereafter, the court shall provide, in writing, the facts sought to be proved by the member's testimony, the relevance of those facts to the case, the basis for the judge's belief that the member has personal knowledge of those facts, and a statement as to why such testimony is not otherwise privileged under the privileges and immunities provision of Article III, Section 8 of the Louisiana Constitution.

(ii) In a district court having a single judge, the judge shall appoint a district judge of an adjoining district or a lawyer domiciled in the judicial district who has the qualifications of a district judge to conduct the hearing required in Paragraph (2) of this Subsection. In a district court having two judges, the other judge of the court shall conduct the hearing. Such order of the court appointing a judge ad hoc shall be entered on its minutes, and a certified copy of the order together with a written copy of the information required in Item (i) of this Subparagraph shall be sent to the judge ad hoc. In a district court having more than two judges, the hearing shall be conducted by another judge of the district court through the random process of assignment in accordance with the provision of Code of Civil Procedure Article 253.1."

AMENDMENT NO. 9

On page 4, between lines 28 and 29, insert the following:

"(4) A member may, by affidavit, waive the hearing requirement of this Subsection with respect to his appearance as a witness or deponent.

(5) Any subpoena to compel the attendance of a member of the Louisiana Legislature, in his capacity as a state lawmaker, as a witness or deponent in any civil or criminal case which is not issued in strict conformity with the provisions of this Subsection is void ab initio.

C.(1)(a) Any party to an administrative proceeding seeking to compel the attendance of a member of the legislature, in his capacity as a state lawmaker, as a witness or deponent in the proceeding shall file a written motion with the agency, subordinate presiding officer, or administrative law judge, as applicable, requesting a hearing on the matter. The motion shall set forth the facts sought to be proved by the member's testimony, the relevance of those facts to the proceeding, the basis for the mover's belief that the member has personal knowledge of those facts, and a statement as to why such testimony is not otherwise privileged under the privileges and immunities provision of Article III, Section 8 of the Louisiana Constitution. If the agency, subordinate presiding officer, or administrative law judge, as applicable, determines that the motion is well-founded, that denial of the motion may prejudice the case of the mover, and that the mover has made a sound argument supported in law and jurisprudence that the legislative privilege is inapplicable to the facts sought to be proved, the agency, subordinate presiding

officer, or administrative law judge, as applicable, shall order a hearing in accordance with Paragraph (2) of this Subsection.

(b)(i) Any subordinate presiding officer or administrative law judge on his own motion seeking to compel the attendance of a member of the Louisiana Legislature, in his capacity as a state lawmaker, as a witness or deponent in any administrative proceeding shall enter into the record his intent to compel such attendance. Thereafter, the officer or judge shall provide, in writing, the facts sought to be proved by the member's testimony, the relevance of those facts to the proceeding, the basis for the judge's belief that the member has personal knowledge of those facts, and a statement as to why such testimony is not otherwise privileged under the privileges and immunities provision of Article III, Section 8 of the Louisiana Constitution.

(ii) The agency, subordinate presiding officer, or administrative law judge shall appoint or otherwise arrange for another subordinate presiding officer or administrative law judge to conduct the hearing required in Paragraph (2) of this Subsection.

(2) Prior to the issuance of a subpoena commanding the appearance or testimony of a member of the legislature pursuant to Paragraph (1) of this Subsection, a hearing shall be conducted in accordance with the following provisions:

(a) Notice of the hearing must be provided to all parties, the member, and the attorney general. In the case of a member of the Louisiana House of Representatives, notice must also be made to the clerk of the House of Representatives and in the case of a member of the Louisiana Senate, notice must also be made upon the secretary of the Louisiana Senate at their respective offices in the State Capitol building.

(b) Notice may be served by sheriff or by certified mail, return receipt requested, a minimum of fifteen days prior to the date of the hearing.

(c) The content of the notice shall include the facts sought to be proved by the member's testimony, the relevance of those facts to the proceeding, the basis for the belief that the member has personal knowledge of those facts, and a supported statement as to why such testimony is not otherwise privileged under the privileges and immunities provision of Article III, Section 8 of the Louisiana Constitution.

(d) At the hearing, the member or attorney general or both may question the requesting party regarding the content of the notice and may present evidence or argument in opposition to the issuance of a subpoena or other order compelling discovery.

(e) The provisions of R.S. 13:3667.1 shall apply to the scheduling of the hearing and all other administrative proceedings.

(3) After the hearing, if the subordinate presiding officer or administrative law judge, as applicable, determines that the member's testimony is necessary to the proceeding and that the testimony is not privileged, he shall issue the subpoena or order. The member or the attorney general may apply directly to the Supreme Court of Louisiana for supervisory writs upon the subordinate presiding officer's or administrative law judge's decision to hold a hearing or to issue a subpoena commanding the attendance of the member or other order compelling discovery.

(4) A member may, by affidavit, waive the hearing requirement of this Subsection with respect to his appearance as a witness or deponent.

(5) Any subpoena to compel the attendance of a member of the legislature, in his capacity as a state lawmaker, as a witness or deponent in any administrative proceeding which is not issued in

strict conformity with the provisions of this Subsection is void ab initio."

AMENDMENT NO. 10

On page 5, line 19, between "cases" and "wherein" insert "and proceedings" and on line 20, change "cases" to "instances"

AMENDMENT NO. 11

On page 6, line 1, change "legislative officials, and personnel" to "the clerk of the House of Representatives, the secretary of the Senate, and employees of the House of Representatives, the Senate, and the Legislative Bureau"

AMENDMENT NO. 12

On page 6, between lines 2 and 3, insert the following:

"Section 4. R.S. 49:956.1 is hereby enacted to read as follows:

§956.1. Administrative proceedings; member of the legislature as witness

An application for an order compelling discovery to a member of the legislature in his capacity as a state lawmaker when the legislature or either body thereof is not a party to the proceeding may be made to the agency in which the action is pending but no order compelling discovery shall issue except in strict conformity with the provisions of R.S. 13:3667.3(C)."

AMENDMENT NO. 13

On page 6, line 3, change "Section 4." to "Section 5."

Rep. Townsend moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Arnold	Gallot	Odinot
Badon	Geymann	Pierre
Baldone	Glover	Pinac
Barrow	Gray	Pitre
Baudoin	Greene	Powell, M.
Baylor	Guillory, E.	Powell, T.
Beard	Guillory, M.	Quezaire
Bowler	Hammett	Richmond
Bruce	Harris	Ritchie
Bruneau	Heaton	Robideaux
Burns	Hebert	Romero
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche

Doerge
Dorsey
Dove
Downs
Durand
Fannin
Total - 98

Lambert
Lancaster
Marchand
Martiny
McDonald
McVea

Tucker
Waddell
Walker
Walsworth
White

NAYS

Total - 0

ABSENT

Ansardi
Erdey
Kennard
Total - 7

LaBruzzo
Scalise
Winston

Wooton

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Pitre, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

Suspension of the Rules

On motion of Rep. Pitre, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

SENATE BILL NO. 27—

BY SENATOR DUPRE

A JOINT RESOLUTION

Proposing to amend Article VI, Section 42(A), and to add Article I, Section 4(G), of the Constitution of Louisiana; to provide relative to the taking of property; to provide relative to the compensation paid for certain takings of property; to provide relative to compensation paid for the taking of, or loss or damage to, property rights affected by certain hurricane protection or flood control activities, and for levees and levee drainage purposes; to provide that compensation for such takings shall be limited and governed by the Fifth Amendment of the United States Constitution; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Called from the calendar.

Read by title.

Rep. Pitre sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pitre to Engrossed Senate Bill No. 27 by Senator Dupre

AMENDMENT NO. 1

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On page 2, at the end of line 7, add the following: "However, this Paragraph shall not apply to compensation paid for a building or structure that was destroyed or damaged by an event for which a presidential declaration of major disaster or emergency was issued, if the taking occurs within three years of such event. The legislature by law may provide procedures and definitions for the provisions of this Paragraph."

AMENDMENT NO. 2

On page 3, at the end of line 12, after "Constitution" delete the period and insert in lieu thereof:

"; to provide an exception for the taking of buildings or structures destroyed or damaged by an event for which a presidential declaration of major disaster or emergency was issued, if the taking occurs within three years of such event; and to authorize the legislature by law to provide procedures and definitions for these requirements."

On motion of Rep. Pitre, the amendments were adopted.

Rep. Pitre moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammitt	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Tucker
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	
Total - 98		

NAYS

Total - 0

ABSENT

Chandler	Morrell	Wooton
DeWitt	Triche	
Kennard	Winston	

Total - 7

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

Rep. Pitre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Pitre, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

SENATE BILL NO. 64—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:281(3) and (4), and to enact R.S. 38:249 and R.S. 49:213.10(D), relative to the taking of property; to provide relative to hurricane protection and flood control activities, and levees and levee drainage; to provide relative to the taking of property for certain purposes; to provide relative to compensation; to provide relative to determinations and limitations of the amount of compensation; to provide certain conditions, definitions, and procedures; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pitre sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pitre to Engrossed Senate Bill No. 64 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "and (4)" delete the comma ","

AMENDMENT NO. 2

On page 1, at the beginning of line 6, insert "to provide relative to"

AMENDMENT NO. 3

On page 1, line 14, after "4(G)" delete the comma ","

AMENDMENT NO. 4

Delete House Floor Amendments Nos. 3 and 4 from the set of conforming amendments proposed by Representative Pitre and adopted by the House of Representatives on April 27, 2006

AMENDMENT NO. 5

On page 1, line 16, after "affected by" delete the remainder of the line and delete line 17 and on page 2, line 1 delete "and" and insert the following:

"the construction, enlargement, improvement, or modification of federal or non-federal hurricane protection projects, including"

AMENDMENT NO. 6

On page 2, line 21, after "4(G)" delete the comma ","

AMENDMENT NO. 7

On page 3, line 1, after "4(G)" delete the comma ","

AMENDMENT NO. 8

Delete House Floor Amendments Nos. 13 and 14 from the set of conforming amendments proposed by Representative Pitre and adopted by the House of Representatives on April 27, 2006

AMENDMENT NO. 9

On page 3, line 12, after "property rights" delete the remainder of the line and delete line 13 and at the beginning of line 14 delete "structures, and" and insert "necessary for the construction, enlargement, improvement, or modification of federal or non-federal hurricane protection projects, including"

On motion of Rep. Pitre, the amendments were adopted.

Rep. Pitre sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pitre to Engrossed Senate Bill No. 64 by Senator Dupre

AMENDMENT NO. 1

On page 2, between lines 10 and 11, insert:

"D. As provided in Article I, Section 4(G) of the Constitution of Louisiana, the provisions of this Section shall not apply to compensation paid for a building or structure that was destroyed or damaged by an event for which a presidential declaration of major disaster or emergency was issued, if the taking occurs within three years of such event."

AMENDMENT NO. 2

On page 2, at the end of line 25, delete the period and insert:

"unless an exception as provided in Article I, Section 4(G) of he Constitution of Louisiana is applicable."

AMENDMENT NO. 3

On page 3, at the end of line 4, delete the period and insert:

"unless an exception as provided in Article I, Section 4(G) of the Constitution of Louisiana is applicable."

AMENDMENT NO. 4

On page 3, at the end of line 16, delete the period and insert:

"unless an exception as provided in Article I, Section 4(G) of the Constitution of Louisiana is applicable."

On motion of Rep. Pitre, the amendments were adopted.

Rep. Pitre moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Morrell

Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin

Total - 99

Gallot
Geymann
Glover
Gray
Greene
Guillory, E.
Guillory, M.
Hammett
Harris
Heaton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jackson
Jefferson
Johns
Katz
Kenney
Kleckley
LaBruzze
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald

Morrish
Odinot
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalise
Schneider
Smiley
Smith, G.
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Tucker
Waddell
Walker
Walsworth
White

NAYS

Total - 0

ABSENT

Bruce
Chandler
Total - 6

Kennard
Triche
Winston
Wooton

The Chair declared the above bill was finally passed.

Rep. Pitre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Scalise, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

SENATE BILL NO. 58— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2286.1(A) and (B), relative to environmental quality; to provide relative to the voluntary investigation and remediation of immovable property; to provide for a work plan; to provide for submittal and review of such plan; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. DeWitt sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Engrossed Senate Bill No. 58 by Senator Fontenot

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AMENDMENT NO. 1

On page 1, line 2, after "(B)" and before the comma "," insert "and to enact "R.S. 30:2285.1(E)"

AMENDMENT NO. 2

On page 1, line 3, after "action;" insert "to provide for exceptions for certain wastes from the voluntary and remedial action program;"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" insert "and R.S. 30:2285.1(E) is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert the following:

"§2285.1. Voluntary remedial actions; liability exemption

* * *

E. This Part shall not be applicable to the investigation and remediation of drilling fluids, produced waters, or other wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy which are subject to regulation by the Department of Natural Resources.

* * *

On motion of Rep. DeWitt, the amendments were adopted.

Rep. Damico moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Curtis	Kenney	St. Germain
Damico	Kleckley	Strain
Daniel	LaBruzzo	Thompson
Dartez	LaFleur	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Tucker
Durand	Martiny	Waddell

Erdey	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	White
Total - 96		

NAYS

Total - 0

ABSENT

Beard	Downs	Kennard
Crane	Jackson	Winston
Crowe	Katz	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Damico moved to reconsider the vote by which the above bill failed to pass, and, on her own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Scalise, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

SENATE BILL NO. 292—

BY SENATORS FONTENOT, HINES, MOUNT, BAJIOIE, NEVERS AND CHEEK AND REPRESENTATIVES SALTER, DORSEY, ALARIO, DEWITT, HAMMETT, JEFFERSON, RICHMOND AND RITCHIE

AN ACT

To enact R.S. 30:2014.5, relative to environmental quality, to authorize the secretary of the Department of Environmental Quality to develop and implement an expedited permitting processing program; to provide for legislative approval of rules; to provide for notice of expedited permit; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Damico sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Engrossed Senate Bill No. 292 by Senator Fontenot

AMENDMENT NO. 1

On page 2, delete lines 1 and 2 in their entirety

On motion of Rep. Damico, the amendments were adopted.

Rep. Damico moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McDonald
Alario	Faucheux	McVea
Alexander	Frith	Montgomery
Ansardi	Gallot	Morrell
Arnold	Geymann	Morrish
Badon	Glover	Odinot
Baldone	Gray	Pierre
Barrow	Greene	Pinac

Baudoin	Guillory, E.	Pitre
Baylor	Guillory, M.	Powell, M.
Bowler	Hammett	Powell, T.
Bruce	Harris	Quezaire
Bruneau	Heaton	Richmond
Burns	Hebert	Ritchie
Burrell	Hill	Romero
Carter, K.	Honey	Scalise
Carter, R.	Hopkins	Schneider
Cazayoux	Hunter	Smiley
Chandler	Hutter	Smith, G.
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Damico	Johns	St. Germain
Daniel	Katz	Strain
Dartez	Kenney	Thompson
DeWitt	Kleckley	Toomy
Doerge	LaBruzzo	Trahan
Dorsey	LaFleur	Triche
Dove	LaFonta	Tucker
Downs	Lambert	Waddell
Durand	Lancaster	Walker
Erdey	Marchand	Walsworth
Fannin	Martiny	White
Total - 96		

NAYS

Total - 0

ABSENT

Beard	Kennard	Townsend
Crowe	Robideaux	Winston
Curtis	Smith, J.D.—50th	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Scalise, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

SENATE BILL NO. 151—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrell
Ansardi	Frith	Morrish
Arnold	Gallot	Odinot
Badon	Geymann	Pierre

Baldone	Glover	Pinac
Barrow	Gray	Pitre
Baudoin	Greene	Powell, M.
Baylor	Guillory, E.	Powell, T.
Bowler	Guillory, M.	Quezaire
Bruce	Harris	Richmond
Bruneau	Hebert	Ritchie
Burns	Hill	Robideaux
Burrell	Honey	Romero
Carter, K.	Hopkins	Scalise
Carter, R.	Hunter	Schneider
Cazayoux	Hutter	Smiley
Chandler	Jackson	Smith, G.
Crane	Jefferson	Smith, J.D.—50th
Cravins	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Total - 96		

NAYS

Total - 0

ABSENT

Beard	Heaton	Waddell
Crowe	Kennard	Winston
Hammitt	St. Germain	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Scalise, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

SENATE BILL NO. 215—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:154(A)(1), relative to unclaimed property; to reduce the time period under which travelers checks are presumed abandoned; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Downs	Marchand
Alexander	Erdey	McDonald
Ansardi	Fannin	McVea
Arnold	Farrar	Montgomery
Badon	Frith	Odinot
Baldone	Gallot	Powell, T.

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Barrow
Baudoin
Baylor
Bruce
Burrell
Carter, R.
Cazayoux
Chandler
Cravins
Curtis
Damico
Daniel
Doerge
Dorsey
Total - 58

Geymann
Gray
Guillory, E.
Guillory, M.
Harris
Hebert
Hill
Honey
Hopkins
Hutter
Katz
Kleckley
LaFonta
Lambert

Ritchie
Robideaux
Romero
Smiley
Smith, J.D.—50th
Smith, J.H.—8th
Strain
Thompson
Townsend
Triche
Waddell
Walker

NAYS

Mr. Speaker
Beard
Bowler
Bruneau
Carter, K.
Crane
DeWitt
Durand
Fauchaux
Greene
Total - 29

Jackson
Jefferson
Johns
Kenney
LaFleur
Lancaster
Martiny
Morrish
Pinac
Pitre

Powell, M.
Quezaire
Smith, G.
Smith, J.R.—30th
St. Germain
Toomy
Trahan
Walsworth
White

ABSENT

Burns
Crowe
Dartez
Dove
Glover
Hammett
Total - 18

Heaton
Hunter
Kennard
LaBruzzo
Morrell
Pierre

Richmond
Scalise
Schneider
Tucker
Winston
Wooton

The Chair declared the above bill was finally passed.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Dorsey, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

Suspension of the Rules

On motion of Rep. Toomy, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

SENATE BILL NO. 454—

BY SENATORS ELLINGTON AND SMITH
AN ACT

To enact Chapter 23-A of Title 3 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3751 and 3752, relative to the right of Louisiana farmers to supply Louisiana feedstock to renewable fuel manufacturing facilities operating in Louisiana; to encourage the use of Louisiana harvested crops in the production of renewable fuels in Louisiana; to require operators of renewable fuel manufacturing facilities to provide notice of operation and contact information for the purchase of Louisiana feedstock; to require the collection and dissemination of information regarding the purchases of Louisiana feedstock in the manufacture of renewable fuels; to require the collection and dissemination of information regarding the sales of renewable fuels by Louisiana manufacturers; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Fannin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Reengrossed Senate Bill No. 454 by Senator Ellington

AMENDMENT NO. 1

On page 3, line 11, change "corn" to "soybeans"

On motion of Rep. Fannin, the amendments were adopted.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 454 by Senator Ellington

AMENDMENT NO. 1

Delete the House Floor Amendment offered by Representative Daniel and adopted by the House on June 14, 2006

AMENDMENT NO. 2

On page 3, between liens 19 and 20, insert the following:

"(4) In an effort to enable the renewable fuel plants in operation in Louisiana to systematically increase the use of Louisiana crops as feedstock over time as provided in this Subsection, the provisions of R.S. 3:4674 shall be implemented six months after the average delivered price of Louisiana-manufactured ethanol is no more than ten cents per gallon greater than the average Louisiana wholesale price of gasoline for a period of at least ninety days as determined by the secretary of the Louisiana Department Revenue. The secretary shall provide public notice of such determination in the official journal of the state of Louisiana."

On motion of Rep. Daniel, the amendments were adopted.

Rep. Fannin moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Burns
Burrell

Farrar
Fauchaux
Frith
Gallot
Geymann
Glover
Gray
Greene
Guillory, E.
Guillory, M.
Hammett
Hebert
Hill
Honey
Hopkins

Montgomery
Morrell
Morrish
Odinet
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalise

Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Chandler	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Fannin	McVea	White
Total - 96		

NAYS

Total - 0

ABSENT

Bruneau	Harris	Schneider
Crowe	Heaton	Winston
Erdey	Kennard	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Fannin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Honey, LaBruzzo, and Scalise, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

SENATE BILL NO. 222— BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a) and (c), 416, 417(A), and 427(A)(1), and to enact R.S. 14:92.2(A)(4) and (B)(3) and R.S. 32:417(D) and (E), relative to motor vehicles; to increase the penalties for any unlicensed person who operates a motor vehicle; to increase the penalties for any person who allows an unlicensed minor to operate a motor vehicle; to provide for penalties when an unlicensed person is involved in an accident which results in the serious injury or death of another person; to provide for the improper supervision of a minor by a parent or legal custodian; to provide for exceptions; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Johns, the bill was returned to the calendar.

SENATE BILL NO. 241— BY SENATOR SHEPHERD

AN ACT

To enact R.S. 9:2941.1, relative to contracts; to provide relative to bond for deed contracts; to provide relative to recording of such contracts; to prohibit interest for subsequent filings by or against the bond for deed purchaser; to provide for the cancellation of certain mortgage records after registry of the sale of a bond for deed under certain circumstances; to provide relative to

cancellation of a bond for deed contract upon default; to provide relative to tax sales; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	McDonald
Alario	Erdey	McVea
Alexander	Fannin	Montgomery
Ansardi	Farrar	Morrish
Arnold	Faucheux	Odinot
Badon	Frith	Pierre
Baldone	Gallot	Pinac
Barrow	Geymann	Pitre
Baudoin	Glover	Powell, M.
Baylor	Gray	Powell, T.
Beard	Guillory, E.	Quezaire
Bowler	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Burns	Hebert	Robideaux
Burrell	Hill	Romero
Carter, K.	Honey	Scalise
Carter, R.	Hopkins	Smiley
Cazayoux	Hunter	Smith, G.
Chandler	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	White
Dove	Marchand	
Downs	Martiny	
Total - 91		

NAYS

Total - 0

ABSENT

Bruneau	LaFonta	Tucker
Greene	Morrell	Walsworth
Harris	Schneider	Winston
Heaton	Trahan	Wooton
Kennard	Triche	
Total - 14		

The Chair declared the above bill was finally passed.

Rep. Bowler moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Scalise, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

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SENATE BILL NO. 258—

BY SENATORS BOASSO, BARHAM, DARDENNE, B. GAUTREAUX,
HOLLIS, SHEPHERD AND THEUNISSEN

A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(4) and (5) of the Constitution of Louisiana, relative to retirement and survivor's benefits; to limit creation of additional unfunded accrued liabilities for state retirement systems; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Motion

On motion of Rep. Schneider, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Schneider gave notice of his intention to call Senate Bill No. 258 from the calendar for future action.

SENATE BILL NO. 269—

BY SENATOR DUPRE

AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv), relative to levees; to provide for the contract limit for certain projects providing for the restoration and rehabilitation of certain levees under certain circumstances; to provide for the sunset of such provision; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Pitre sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pitre to Engrossed Senate Bill No. 269 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 1, after "levee" delete the remainder of the line and delete "maintained with federal funds" from the beginning of line 2

On motion of Rep. Pitre, the amendments were adopted.

Rep. Baldone moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammitt	Ritchie
Bruce	Harris	Robideaux
Burns	Heaton	Romero

Burrell	Hebert	Scalise
Carter, R.	Hill	Smiley
Cazayoux	Honey	Smith, G.
Chandler	Hopkins	Smith, J.D.—50th
Crane	Hutter	Smith, J.H.—8th
Cravins	Jackson	Smith, J.R.—30th
Curtis	Jefferson	St. Germain
Damico	Johns	Strain
Daniel	Katz	Thompson
Dartez	Kenney	Toomy
Doerge	Kleckley	Townsend
Dorsey	LaBruzzo	Trahan
Dove	LaFleur	Tucker
Downs	Lambert	Waddell
Durand	Lancaster	Walker
Erdey	Marchand	
Fannin	McDonald	

Total - 88

NAYS

Total - 0

ABSENT

Ansardi	Kennard	Triche
Bruneau	LaFonta	Walsworth
Carter, K.	Martiny	White
Crowe	Morrell	Winston
DeWitt	Morrish	Wooton
Hunter	Schneider	

Total - 17

The Chair declared the above bill was finally passed.

Rep. Baldone moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Scalise, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

SENATE BILL NO. 284—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:407(E) and to enact R.S. 32:414(T) and 431.1, relative to motor vehicles; to provide relative to driver's licenses and learner's permits; to authorize the denial or suspension of a driver's license or learner's permit of a minor who is not enrolled in or has not completed school or an adult education program; to authorize school boards and nonpublic schools to adopt policies providing relative to such denial or suspensions; to provide for notification to the Department of Public Safety and Corrections when a minor drops out of school; to provide for reinstatement of driving privileges; to authorize issuance of a hardship license; to provide for an appeal process; to provide for the responsibilities of the department; to provide definitions; and to provide for related matters.

Read by title.

Rep. White sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative White to Re-Engrossed Senate Bill No. 284 by Senator Fontenot

AMENDMENT NO. 1

On page 5, line 20, after "school boards" delete the period "." and insert a comma "," and insert the following:

"home school providers, and adult education supervisors upon request to the Department of Education."

On motion of Rep. White, the amendments were adopted.

Rep. Erdey moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Powell, T.
Alexander	Erdey	Quezaire
Badon	Fannin	Richmond
Baudoin	Faucheux	Ritchie
Beard	Frith	Scalise
Bruce	Greene	Smiley
Burns	Guillory, E.	Smith, G.
Carter, R.	Kenney	St. Germain
Chandler	LaBruzzo	Strain
Crowe	McDonald	Thompson
Curtis	McVea	Toomy
Damico	Morrish	Trahan
Daniel	Pierre	Triche
Downs	Powell, M.	White
Total - 42		

NAYS

Alario	Geymann	Marchand
Ansardi	Gray	Montgomery
Arnold	Guillory, M.	Morrell
Barrow	Hammett	Odinot
Baylor	Hebert	Pinac
Bowler	Hill	Pitre
Bruneau	Honey	Robideaux
Burrell	Hunter	Romero
Carter, K.	Jackson	Schneider
Cazayoux	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Cravins	Kleckley	Smith, J.R.—30th
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Farrar	Lancaster	Walsworth
Total - 48		

ABSENT

Baldone	Harris	Kennard
Dartez	Heaton	Martiny
Dove	Hopkins	Walker
Gallot	Hutter	Winston
Glover	Jefferson	Wooton
Total - 15		

The Chair declared the above bill failed to pass.

Rep. Marchand moved to reconsider the vote by which the above bill failed to pass, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 285— BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 4:61(B) and (C), 63, 64, 65(A), (B), and (C)(3), (4), and (5), 67(A) and (C)(1), 70, 72, 73, 75, 76, 79, 81, 82, 83, and 85 and to enact R.S. 4:61(F), 82.1, and 82.2, relative

to the boxing commission; to provide for authority; to provide for domicile; to provide for exemption from civil liability; to provide for duties of secretary; to provide for bond requirements; to provide for license fees and taxes; to provide for physicians; to provide for seating for the commission; to provide for sham contests; to provide relative to events coordinators, referees, and judges; to provide for criminal penalties and injunctions; to provide for definitions; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Daniel, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Daniel gave notice of his intention to call Senate Bill No. 285 from the calendar for future action.

SENATE BILL NO. 299— BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 22:1068(C)(a) and (g), relative to the reduction of premium taxes paid by insurers who make qualified Louisiana investments; to provide that funds may be deposited in a savings bank or trust company; to remove the requirement that insurers deposit funds in certain financial institutions domiciled in Louisiana in order to qualify for the reduction in premium tax; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Badon	Gallot	Pierre
Baldone	Geymann	Pinac
Barrow	Glover	Pitre
Baudoin	Gray	Powell, M.
Baylor	Greene	Powell, T.
Beard	Guillory, E.	Quezaire
Bowler	Guillory, M.	Ritchie
Bruce	Hammett	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Cazayoux	Hutter	Smith, G.
Chandler	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lancaster	Trahan
Dorsey	Marchand	Triche
Dove	Martiny	Waddell

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Downs Durand Total - 90	McDonald McVea	Walker Walsworth
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NAYS

Total - 0

ABSENT

Arnold Carter, K. Dartez Erdey Harris Total - 15	Heaton Hebert Kennard LaFleur Lambert	Richmond Tucker White Winston Wooton
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The Chair declared the above bill was finally passed.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 358— BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 39:1482(A)(1)(b), relative to state contracts for professional, personal, consulting, and social services; to exempt certain consulting service contracts relating to acquisition of rights-of-way from certain general requirements for consulting contract procurements; and to provide for related matters.

Read by title.

Rep. Quezaire moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Morrell
Alario	Fannin	Morrish
Alexander	Farrar	Odinot
Ansardi	Faucheux	Pierre
Arnold	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Geymann	Powell, M.
Barrow	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Harris	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Chandler	Jefferson	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
DeWitt	Lancaster	Triche
Doerge	Marchand	Tucker
Dorsey	Martiny	Waddell
Dove	McDonald	Walker

Downs Durand Total - 95	McVea Montgomery	Walsworth
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NAYS

Total - 0

ABSENT

Dartez Hammett Heaton Hebert Total - 10	Johns Kennard Lambert White	Winston Wooton
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The Chair declared the above bill was finally passed.

Rep. Quezaire moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 383— BY SENATOR DARDENNE

AN ACT

To amend and reenact Chapter 1 of Title 10 of the Louisiana Revised Statutes of 1950, heretofore comprised of Parts 1 through 2 and consisting of R.S. 10:1-101 through 1-209, to be comprised of Parts 1 through 3 and consisting of R.S. 10:1-101 through 1-310, to amend and reenact R.S. 9:3306(12) and (26), 3353(A)(8), and 4770(B), R.S. 10:3-101 and 3-103(a)(10), R.S. 10:4-101, 4A-101, 4A-105(a)(6) and (7), 4A-106(a), and 4A-204(b), R.S. 10:5-101, 5-102(b), and 5-103(c), R.S. 10:7-101, R.S. 10:8-102(a)(10), and R.S. 10:9-102(a)(43), and to enact R.S. 10:5-102(a)(6.1), all relative to general provisions under the Louisiana Commercial laws; to revise the entirety of Chapter 1 to conform to revisions in the Uniform Commercial Code; to provide for definitions and general concepts; to provide for when value is given; to provide for usages of trade; to provide for when actions are taken within a reasonable time; to provide for the relation to Electronic Signatures in Global and National Commerce Act; to provide for the territorial applicability of the commercial laws and the parties' power to choose applicable law; to provide for the variation of the commercial laws by agreement; to provide for obligation of good faith; to provide for prima facie evidence by third-party documents; to provide for performance or acceptance under reservation of rights; to provide for the option to accelerate at will; to provide for subordinated obligations; to provide for the correction of cross referenced citations; and to provide for related matters.

Read by title.

Rep. Ansardi moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond

Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Cazayoux	Hutter	Smith, G.
Chandler	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth

Total - 96

NAYS

Total - 0

ABSENT

Burrell	Hebert	White
Dartez	Kennard	Winston
Heaton	Lambert	Wooton

Total - 9

The Chair declared the above bill was finally passed.

Rep. Ansardi moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 393—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 39:1497, relative to the requirement of a cost-benefit analysis for the procurement of professional, personal, consulting, and social services; and to provide for related matters.

Read by title.

Rep. Quezaire moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dove	Martiny
Alario	Downs	McDonald
Ansardi	Fannin	McVea
Arnold	Farrar	Montgomery
Badon	Frith	Morrell
Baldone	Gallot	Morrish
Barrow	Gray	Odinot
Baudoin	Guillory, E.	Pierre
Baylor	Guillory, M.	Pinac
Bowler	Hammett	Pitre
Bruce	Harris	Powell, T.
Bruneau	Heaton	Quezaire
Burrell	Hill	Richmond
Carter, K.	Honey	Ritchie
Carter, R.	Hopkins	Robideaux

Cazayoux	Hunter	Romero
Chandler	Hutter	Smith, G.
Crane	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Kenney	Thompson
Daniel	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lancaster	Triche
Dorsey	Marchand	

Total - 74

NAYS

Alexander	Katz	Strain
Beard	Kleckley	Toomy
Burns	LaBruzzo	Tucker
Crowe	Powell, M.	Waddell
Durand	Scalise	Walker
Erdey	Schneider	Walsworth
Faucheux	Smiley	
Glover	Smith, J.H.—8th	

Total - 22

ABSENT

Dartez	Hebert	White
Geymann	Kennard	Winston
Greene	Lambert	Wooton

Total - 9

The Chair declared the above bill was finally passed.

Rep. Quezaire moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Recess

On motion of Rep. Badon, the Speaker declared the House at recess upon the call of the House.

After Recess

Speaker Salter called the House to order at 5:40 P.M.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Louisiana House of Representatives

June 14, 2006

Representative Joe R. Salter, Speaker
Louisiana House of Representatives
P. O. Box 94062
Baton Rouge, Louisiana 70804

Dear Mr Speaker:

I am writing to you today to officially tender my resignation from the Louisiana House of Representatives effective Wednesday, June 14, 2006, at 5:24 P.M. I cannot say enough wonderful things about the Louisiana Legislature, about all the people I've encountered in my years as a public servant. I will always hold dearly the memories and relationships that I have formed with members of the legislature over years, as a state representative. I look forward to making new ones as Clerk of the New Orleans Criminal Court.

I remain

Sincerely,

Arthur A. Morrell

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Johns gave notice of his intention to call Senate Bill No. 222 from the calendar for future action.

Suspension of the Rules

On motion of Rep. Richmond, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 445— BY SENATOR JACKSON

AN ACT

To enact R.S. 40:600.26(G) and (H), relative to the Louisiana Housing Trust Fund Act of 2003; to provide for housing needs in declared disaster areas as a result of hurricanes Katrina and Rita; to provide for the priority of housing citizens who were displaced in a declared disaster area as a result of hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Richmond sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed Senate Bill No. 445 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 1, after "To" and before "enact" insert "amend and reenact R.S. 40:600.6(A)(22) and to" and change "R.S. 40:600.26(G) and (H)" to "R.S. 40:600.26(D)(5) and (G) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:600.31 through 600.37"

AMENDMENT NO. 2

On page 1, line 2, after "2003" and the semicolon ";" and before "to provide" insert "to provide for a nonprofit corporation to address housing needs as defined in the Road Home Program"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1" and the period "." change "R.S. 40:600.26(G) and (H)" to "R.S. 40:600.6(A)(22) is hereby amended and reenacted and R.S. 40:600.26(D)(5) and (G) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.31 through 600.37,"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert the following:

"§600.6. Powers and duties of the agency

A. The agency shall have the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Chapter, including the following powers in addition to all other powers granted by other provisions of this Chapter:

* * *

(22) Notwithstanding anything stated in this Chapter or in any other law to the contrary, particularly R.S. 12:202.1, to create or cause to be created such nonprofit corporations as may be necessary or expedient to participate in housing programs of the federal government or its agencies and instrumentalities, including the creation of a nonprofit corporation to address the needs of the Road Home Program, as more specifically described in R.S. 40:600.31, et seq.

* * *"

AMENDMENT NO. 5

On page 1, between lines 10 and 11, insert the following:

"D. The trust fund shall receive monies in the following manner:

* * *

(5) Monies appropriated or otherwise made available to the trust fund, from income derived under the Road Home Housing Program from the sale of real property, acquired by the state, or its agent, under the program and sold for purposes of redevelopment of housing or from the repayment of loans, grants, or any other agreement wherein the state provided financial assistance to an individual for rehabilitation or buyout of a home under the program, but only in such amounts as are approved by the Louisiana Recovery Authority and the division of administration and provided that such monies shall be subject to budgetary control and authority of the division of administration."

AMENDMENT NO. 6

On page 1, delete lines 15 through 17 in their entirety and on page 2, delete lines 1 through 9 in their entirety.

AMENDMENT NO. 7

On page 2, between lines 9 and 10, insert the following:

"* * *

CHAPTER 3-C. LOUISIANA ROAD HOME HOUSING CORPORATION ACT

§600.31. Short Title

This Chapter shall be known and may be cited as the "Louisiana Road Home Housing Corporation Act".

§600.32. Definitions

As used in this Chapter, the following words and terms shall have the following meanings, unless the context clearly indicates or requires another or different meaning or intent:

(1) "Road Home Corporation" means the nonprofit corporation authorized to be formed by this Chapter, or any corporation succeeding to the principal functions thereof or to which the powers

conferred upon the corporation by this Chapter shall be given by law. It is further declared that any such corporation shall not constitute a state agency, board, or commission.

(2) "Division of administration" means the division of administration created within the office of the governor by Title 39 of the Louisiana Revised Statutes of 1950.

(3) "Project" collectively means the acquisition, disposition, purchase, renovation, improvement, leasing, or expansion of housing stock, including but not limited to housing stock as described in The Road Home, for the purposes set forth therein, as such action plan may hereafter be amended, supplemented, or otherwise modified, by the corporation. The project may be financed with funds provided in whole or in part from the U.S. Department of Housing and Urban Development's Community Development Block Grant Program, as administered by the Louisiana office of community development of the division of administration.

(5) "State" means the state of Louisiana or any agency or instrumentality thereof.

§600.32. Functions of Road Home Corporation

There is hereby authorized the formation and incorporation of a nonprofit corporation, the purpose of which shall be the acquisition, disposition, purchase, renovation, improvement, leasing, or expansion of housing stock, including but not limited to housing stock as described in The Road Home, for the purposes set forth therein, as such action plan hereafter may be amended, supplemented, or otherwise modified. To the extent that the provisions of this Chapter are inconsistent with the provisions of R.S. 12:202.1 or any other provisions of any general statute or special act or parts thereof, the provisions of this Chapter shall be deemed to be controlling.

§600.33. Membership of the board of directors; vacancies; compensation; expenses

A. The governor of the state shall appoint seven persons to serve as the directors and members of this corporation, with one member appointed from a list of three persons nominated by the President of the Senate and with one member appointed from a list of three persons nominated by the Speaker of the House of Representatives. No less than three of such members shall be a domiciliary of one of the parishes most affected by Hurricanes Katrina and Rita.

B. Members of the board of directors shall serve without compensation, but the Road Home corporation may reimburse such members for necessary expenses incurred in the discharge of their duties.

§600.34. Applicable laws to Road Home Corporation

The Road Home corporation shall be subject to the Public Records Law, the Open Meetings Law, and the Code of Governmental Ethics.

§600.35. Powers of the Road Home Corporation

A. In addition to the powers granted it by the General Nonprofit Corporation Law, Title 12 of the Louisiana Revised Statutes of 1950, as amended, the Road Home corporation shall have the power to undertake any project, to provide for the financing thereof as administered by the office of community development, and in connection therewith:

(1) To receive and accept from any agency of the United States or any agency of the state of Louisiana or any municipality, parish, or other political subdivision thereof, of from any individual,

association, or corporation, gifts, grants, or donations of monies or other property for achieving any other purposes of this Chapter.

(2) To finance, own, lease as lessee or lessor, sell, exchange, donate, or otherwise hold or transfer a property interest in housing stock damaged by Hurricane Katrina or Hurricane Rita, including contracts for the acquisition, purchase, construction, disposition, sale, exchange, donate, renovation, improvement, or expansion such housing stock property interest by the Road Home corporation.

(3) To receive and accept from any source, loans, contributions, or grants for or in aid of project, or the financing thereof in either money, property, labor, or other things of value.

(4) To mortgage all or any portion of its interest in a project and the property on which any such project is located, whether owned or thereafter acquired, including the granting of a security interest in any property, corporeal or incorporeal, and to assign or pledge all of any portion of its interest in property, corporeal or incorporeal and the revenues therefrom.

(5) To obtain, or aid in obtaining, from any department or agency of the United States or the state or any private company, any insurance or guarantee as to, or of, or for the payment or repayment of, interest or principal, or both, or any part thereof, on any lease or obligation or any instrument evidencing or securing the same, made or entered into pursuant to the provisions of this Chapter and to assign any such insurance or guarantee as security.

(6) To enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient, or desirable for the purpose of the Road Home corporation or to carry out any power expressly given in this Chapter.

§600.36. Excess Earnings

Any net earnings of the Road Home corporation beyond that necessary for the Road Home corporation to implement the purposes of this Chapter shall inure to the benefit of the state of Louisiana.

§600.37. Dissolution of the Road Home Corporation; Title to property to vest in successor

Upon dissolution of the Road Home corporation, title to all property owned by the Road Home corporation shall vest in the successor corporation created by the legislature, if any. If no such successor corporation is so created, title to such property shall vest in the state of Louisiana."

Motion

On motion of Rep. Richmond, the bill was returned to the calendar.

SENATE BILL NO. 455—

BY SENATOR MALONE

AN ACT

To amend and reenact Section 6 of Act 169 of the 2005 Regular Session of the Legislature of Louisiana, relative to recordation of documents in the mortgage and conveyance records and the consolidation of the laws affecting the recordation of documents; to provide relative to mineral rights and certain civil actions; to provide an exemption for certain mineral leases; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Odinet, the bill was returned to the calendar.

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SENATE BILL NO. 428—

BY SENATORS AMEDEE AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 13:691(B)(3), and to enact R.S. 13:10.4, relative to judges; to provide with regard to the level of payment of premiums for health insurance for judges; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Toomy sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Toomy to Reengrossed Senate Bill No. 428 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 9, change "Notwithstanding any law to the contrary" to "Unless otherwise provided by law"

AMENDMENT NO. 2

On page 1, line 13, change "state appellate" to "other state employees as determined by the Office of Group Benefits."

AMENDMENT NO. 3

On page 1, delete line 14 in its entirety

AMENDMENT NO. 4

On page 2, at the beginning of line 12, delete "state appellate judges" and insert "other state employees as determined by the Office of Group Benefits"

Rep. Toomy moved the adoption of the amendments.

Rep. Quezaire objected.

By a vote of 67 yeas and 26 nays, the amendments were adopted.

Motion

On motion of Rep. Smiley, the bill, as amended, was returned to the calendar.

Suspension of the Rules

Rep. Daniel moved for a suspension of the rules in order to call from the calendar Senate Bill No. 455 at this time.

Rep. Gallot objected.

By a vote of 38 yeas and 41 nays, the motion not having received a two-thirds vote of the members present and voting, the House refused to suspend the rules.

SENATE BILL NO. 471—

BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 20:1(A)(2) and (D) and to enact R.S. 13:3881(A)(7), relative to property exempt from seizure; to provide for insurance proceeds; to require that insurance proceeds issued to replace property exempt from seizure also be exempt from seizure; to provide for the homestead exemption

from seizure and sale; to provide for an extension of such exemption to proceeds from any property insurance policy under certain natural disasters; to provide relative to the accounting for such proceeds; to provide relative to the value of such exemption; and to provide for related matters.

Read by title.

Rep. Karen Carter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrish
Alexander	Faucheux	Pierre
Ansardi	Frith	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Barrow	Gray	Quezaire
Baudoin	Greene	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Bruce	Harris	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Chandler	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzze	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	White
Durand	McDonald	
Erdey	McVea	
Total - 94		

NAYS

Total - 0

ABSENT

Crane	Kennard	Winston
Dartez	Lambert	Wooton
Heaton	Odinet	
Hebert	Walsworth	
Total - 10		

The Chair declared the above bill was finally passed.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 503—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 39:1496.1(A) and (E)(1)(a) and (b), relative to performance-based energy efficiency contracts; to provide for the adoption of rules and regulations relative to such contracts; to provide for the review process for such contracts; and to provide for related matters.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Robideaux
Beard	Harris	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Chandler	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	
Erdey	McVea	
Total - 94		

NAYS

Total - 0

ABSENT

Carter, K.	Heaton	Winston
Dartez	Kennard	Wooton
Fannin	Powell, T.	
Gray	Ritchie	
Total - 10		

The Chair declared the above bill was finally passed.

Rep. Cazayoux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 513—
BY SENATOR BARHAM

AN ACT

To enact R.S. 42:808(A)(11) and 851(Q), relative to state group insurance; to provide for certain insurance coverage through the office of group benefits for certain state employees and officials after the conclusion of their state service; to provide relative to the eligibility of such persons to participate in programs sponsored by the office of group benefits; to provide for limitations; and to provide for related matters.

Read by title.

Rep. Hopkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed Senate Bill No. 513 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2 after "(A)(11)" insert "and (12)" and after "(Q)" insert "and (R)"

AMENDMENT NO. 2

On page 1, line 6 after "benefits;" insert: "to provide that certain former members of the legislature shall be eligible for group benefits programs;"

AMENDMENT NO. 3

On page 1, line 8 after "(A)(11)" insert "and (12)" and after "(Q)" insert "and (R)"

AMENDMENT NO. 4

On page 2, between lines 23 and 24 insert:

"(12) Notwithstanding any other provision of law to the contrary, any current or former member of the state legislature, elected in 1995 or thereafter, provided such current or former member has served in the legislature for ten years or more and has participated in the program for ten years or more."

AMENDMENT NO. 5

On page 3, after line 7, insert:

"R. The state contribution for persons made eligible pursuant to R.S. 42:808(A)(12) shall be the same as that provided in Subparagraph (D)(2)(c) of this Section. The classification of premiums applicable to this group shall be the same as that applicable to current members of the legislature."

Rep. Hopkins moved the adoption of the amendments.

Rep. Michael Powell objected.

By a vote of 81 yeas and 15 nays, the amendments were adopted.

Rep. McDonald moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

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Mr. Speaker	Farrar	Martiny
Alario	Faucheux	McDonald
Ansardi	Frith	McVea
Arnold	Gallot	Montgomery
Baldone	Geymann	Morrish
Barrow	Glover	Odinot
Baudoin	Gray	Pierre
Baylor	Guillory, E.	Pinac
Bruce	Guillory, M.	Pitre
Bruneau	Hammett	Powell, T.
Burns	Harris	Quezaire
Burrell	Hebert	Richmond
Carter, R.	Hill	Ritchie
Cazayoux	Honey	Robideaux
Chandler	Hopkins	Romero
Crane	Hunter	Smith, G.
Cravins	Hutter	Smith, J.D.—50th
Crowe	Jackson	Smith, J.H.—8th
Curtis	Jefferson	Smith, J.R.—30th
Damico	Johns	St. Germain
Daniel	Katz	Strain
Dartez	Kennard	Thompson
DeWitt	Kenney	Toomy
Doerge	Kleckley	Townsend
Dorsey	LaBruzzo	Trahan
Dove	LaFleur	Triche
Downs	LaFonta	Tucker
Durand	Lancaster	Waddell
Fannin	Marchand	
Total - 86		

NAYS

Alexander	Greene	Scalise
Beard	Lambert	Schneider
Erdey	Powell, M.	Smiley
Total - 9		

ABSENT

Badon	Heaton	White
Bowler	Walker	Winston
Carter, K.	Walsworth	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

Rep. McDonald moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Erdey, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

SENATE BILL NO. 522— BY SENATOR CHEEK

AN ACT

To enact R.S. 27:326, relative to the Video Draw Poker Devices Control Law; to provide with respect to promoting and encouraging the play of video draw poker devices; to provide for a restriction on the offering of food or beverages free of charge; to provide for applicability; and to provide for related matters.

Read by title.

Rep. Hopkins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	McDonald
Alario	Faucheux	McVea
Ansardi	Frith	Montgomery
Arnold	Gallot	Morrish
Badon	Glover	Odinot
Baldone	Guillory, E.	Pierre
Baylor	Guillory, M.	Pinac
Bowler	Hammett	Pitre
Bruce	Harris	Quezaire
Burrell	Hebert	Richmond
Carter, R.	Honey	Romero
Cazayoux	Hopkins	Smith, G.
Crane	Hunter	Smith, J.D.—50th
Curtis	Hutter	Smith, J.R.—30th
Damico	Jefferson	St. Germain
Dartez	Johns	Toomy
DeWitt	LaFleur	Townsend
Doerge	LaFonta	Triche
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	White
Total - 63		

NAYS

Alexander	Geymann	Robideaux
Baudoin	Greene	Scalise
Beard	Hill	Schneider
Bruneau	Jackson	Smiley
Burns	Katz	Strain
Carter, K.	Kenney	Thompson
Chandler	LaBruzzo	Trahan
Crowe	Lambert	Tucker
Daniel	Powell, M.	Walsworth
Erdey	Powell, T.	
Farrar	Ritchie	
Total - 31		

ABSENT

Barrow	Heaton	Winston
Cravins	Kennard	Wooton
Fannin	Kleckley	
Gray	Smith, J.H.—8th	
Total - 10		

The Chair declared the above bill was finally passed.

Rep. Hopkins moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Speaker Pro Tempore Dorsey in the Chair

SENATE BILL NO. 545— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:302.26(D) and 322.37, relative to the disposition of certain collections from the sales of services; to provide with respect to the disposition of the avails of the tax on the sales of services in St. Tammany Parish; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Burns, the bill was returned to the calendar.

SENATE BILL NO. 546—
BY SENATOR MOUNT

AN ACT

To enact R.S. 47:337.9(F), relative to sales and use taxes imposed by local governmental subdivisions, school boards, and other political subdivisions whose boundaries are not coterminous with the state; to exempt purchases of prescription drugs purchased through or pursuant to a Medicare Part D plan; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Salter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter to Engrossed Senate Bill No. 546 by Senator Mount

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" insert "amend and reenact R.S. 47:318(B)(2)(a)(ii) and to" and after "taxes" insert "; to provide for exemptions from such tax"

AMENDMENT NO. 2

On page 1, line 5, after "Part" and before "D" insert "B and" and after "plan;" and before "to" insert "to provide for the disposition of certain state sales and use taxes deposited in the Marketing Fund;" and change "an effective date" to "effective dates"

AMENDMENT NO. 3

On page 1, line 13, after "Part" and before "D" insert "B and"

AMENDMENT NO. 4

On page 1, between lines 16 and 17, insert:

"Section 2. R.S. 47:318(B)(2)(a)(ii) is hereby amended and reenacted to read as follows:

§318. Disposition of collections

* * *

B.

* * *

(2) Monies in the fund shall be subject to annual appropriation to the Department of Economic Development for the following purposes:

(a) A minimum of one million dollars annually to be used for marketing education, of which one million dollars shall be used as follows:

* * *

(ii) Two hundred fifty thousand dollars to the ~~Liberty Foundation~~ District 2 Enhancement Corporation.

* * *

On motion of Rep. Salter, the amendments were adopted.

Rep. Salter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	McDonald
Alario	Erdey	McVea
Alexander	Fannin	Montgomery
Ansardi	Farrar	Morrish
Arnold	Faucheux	Odinot
Badon	Frith	Pierre
Baldone	Gallot	Pinac
Barrow	Geymann	Pitre
Baudoin	Glover	Powell, M.
Baylor	Gray	Powell, T.
Beard	Greene	Quezaire
Bowler	Guillory, E.	Richmond
Bruce	Guillory, M.	Ritchie
Bruneau	Hammett	Robideaux
Burns	Harris	Romero
Burrell	Hebert	Scalise
Carter, K.	Hill	Schneider
Carter, R.	Honey	Smiley
Cazayoux	Hopkins	Smith, G.
Chandler	Hunter	Smith, J.D.—50th
Cravins	Hutter	Smith, J.H.—8th
Crowe	Jackson	Smith, J.R.—30th
Curtis	Jefferson	St. Germain
Damico	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	White
Total - 93		

NAYS

Total - 0

ABSENT

Crane	Kennard	Walsworth
Heaton	Lambert	Winston
Johns	Toomy	Wooton
Katz	Tucker	
Total - 11		

The Chair declared the above bill was finally passed.

Rep. Salter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 554—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:1(8), (9), (20), and (35), and 76(A), and 659(A)(1); relative to cemeteries; to provide for the sale and transfer of cemetery authority; to provide for cemetery activities by a limited liability company; and to provide for related matters.

Read by title.

Rep. Ritchie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

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YEAS

Mr. Speaker	Durand	McVea
Alario	Erdey	Montgomery
Alexander	Fannin	Morrish
Ansardi	Farrar	Odinet
Arnold	Faucheux	Pierre
Badon	Frith	Pinac
Baldone	Gallot	Pitre
Barrow	Geymann	Powell, M.
Baudoin	Glover	Powell, T.
Baylor	Gray	Quezaire
Beard	Greene	Richmond
Bowler	Guillory, E.	Ritchie
Bruce	Guillory, M.	Robideaux
Bruneau	Hammett	Romero
Burns	Harris	Scalise
Burrell	Hebert	Schneider
Carter, K.	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hopkins	Smith, J.D.-50th
Chandler	Hunter	Smith, J.H.-8th
Crane	Hutter	Smith, J.R.-30th
Cravins	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Total - 96		

NAYS

Total - 0

ABSENT

Heaton	Martiny	Winston
Kennard	McDonald	Wooton
Kleckley	Waddell	
Total - 8		

The Chair declared the above bill was finally passed.

Rep. Ritchie moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 575— BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 49:257(B), (C), (D), (E) and (F) and to enact R.S. 49:257(G), relative to legal representation of certain state agencies; to provide for requiring reporting of state entities contracts with private legal counsel to the Louisiana attorney general; and to provide for related matters.

Read by title.

Rep. Gallot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	Morrish
-------------	-------	---------

Alario	Fannin	Odinet
Alexander	Farrar	Pierre
Ansardi	Faucheux	Pinac
Arnold	Frith	Pitre
Badon	Gallot	Powell, M.
Baldone	Geymann	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Greene	Richmond
Beard	Guillory, E.	Ritchie
Bowler	Guillory, M.	Robideaux
Bruce	Hammett	Romero
Bruneau	Harris	Scalise
Burns	Hebert	Schneider
Burrell	Hill	Smiley
Carter, K.	Honey	Smith, G.
Carter, R.	Hopkins	Smith, J.D.-50th
Cazayoux	Hunter	Smith, J.H.-8th
Chandler	Hutter	Smith, J.R.-30th
Crane	Jackson	St. Germain
Cravins	Jefferson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	McDonald	White
Durand	McVea	
Total - 95		

NAYS

Total - 0

ABSENT

Barrow	Kennard	Montgomery
Glover	LaFonta	Winston
Heaton	Martiny	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Gallot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 605— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2009.11(B)(2)(b), 2199(B)(2)(b) and (F)(1), to enact R.S. 40:2199.1, and to repeal R.S. 40:2009.11(B)(3) and 2199(B)(3), relative to nursing homes and health care facilities; to amend Class B violations for nursing homes and other health care facilities licensed or certified by the Department of Health and Hospitals; to delete monthly aggregate fines for nursing homes or other health care facilities; to provide that monies collected for violations by health care facilities, other than nursing homes, be placed into a special trust fund; to provide for use of those monies; to provide for additional remedies against health care facilities which have repeated violations; and to provide for related matters.

Read by title.

Rep. Durand sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Engrossed Senate Bill No. 605 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 6, after "circumstances," insert "including maximum monthly fines not to exceed one-half of the total daily civil fines allowed by law over a thirty day period."

On motion of Rep. Durand, the amendments were adopted.

Rep. Durand moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Burrell	Honey	Schneider
Carter, K.	Hopkins	Smiley
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Darte	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	

Total - 98

NAYS

Total - 0

ABSENT

Barrow	Heaton	Winston
Glover	Kennard	Wooton

Total - 6

The Chair declared the above bill was finally passed.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 612—

BY SENATORS MOUNT, BROOME, CHAISSON AND SCHEDLER

AN ACT

To enact R.S. 15:587(A)(1)(e), R.S. 32:412(I), R.S. 40:1321(J), and Chapter 24-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2528, relative to sexual offenders; to require a restriction code which declares that a driver's license holder is a sex offender; to provide for a Predator Alert System; and to provide for related matters.

Read by title.

Rep. Johns sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Reengrossed Senate Bill No. 612 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 15:542(B)(2)(a) and to"

AMENDMENT NO. 2

On page 1, line 5, after "System;" and before "and" insert "to provide for notice provided by sex offenders to be published in newspapers in addition to the official journal of the parish;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." and before "R.S. 15:587(A)(1)(e)" insert "R.S. 15:542(B)(2)(a) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, between lines 8 and 9 insert the following:

"§542. Registration of sex offenders

* * *

B. The person and the juvenile sex offender shall, within twenty-one days of establishing residence in Louisiana, or if a current resident, within twenty-one days after conviction or release from confinement, provide the sheriff and the police chief or, if the residence is in a parish with a population in excess of four hundred fifty thousand, the police department with the following information: his name, address, and place of employment; the crime for which he was convicted; the date and place of such conviction; any aliases he has used; a description of every vehicle registered to him, including license plate number; and his social security number; and a description of the physical characteristics of the sex offender, including but not limited to sex, race, hair color, eye color, height, age, and weight. Excluding any juvenile except as required under the provisions of R.S. 15:542(B)(5)(c), the offender shall also:

* * *

(2)(a) Give notice of the crime for which he was convicted, his name, a description of his physical characteristics as required by this Subsection, and his address by mail to all people residing within the designated area within twenty-one days of the sentencing or release from confinement or within twenty-one days of establishing residency in the locale where the offender plans to have his domicile, and that the notice shall be published on two separate days within the applicable period provided for herein, without cost to the state, in the official journal of the governing authority of the parish where the

defendant plans to reside and, if ordered by the sheriff or police department, or required by local ordinance, in a newspaper which meets the requirements of R.S. 43:140(3) for qualification as an official journal and which has a larger or smaller circulation in the parish than the official journal. The notice provided to the official journal or other designated newspaper pursuant to this Subparagraph shall also include a recent photograph of the offender or a clear photocopy of a recent photograph of the offender.

* * *

On motion of Rep. Johns, the amendments were adopted.

Rep. Johns moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Hebert	Robideaux
Burns	Hill	Romero
Burrell	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Cazayoux	Hutter	Smith, G.
Chandler	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White

Total - 96

NAYS

Total - 0

ABSENT

Barrow	Glover	Winston
Bruneau	Heaton	Wooton
Fannin	Kennard	

Total - 8

The Chair declared the above bill was finally passed.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Morrish, the rules were suspended in order to take up and consider Senate Instruments on Second Reading Returned from the Legislative Bureau at this time.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

Motion

Rep. Morrish moved that the Committee on Ways and Means be discharged from further consideration of Senate Bill No. 486.

Rep. Hammett objected.

By a vote of 42 yeas and 47 nays, the House refused to discharge the Committee on Ways and Means from further consideration of the bill.

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

ADOPTION OF CONFERENCE COMMITTEE REPORT

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 1133.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 229 by Sen. Dardenne, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 229: Senators Dupre, B. Gautreaux, and Dardenne.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 229: Reps. Pitre, Pierre, and Dove.

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 451 by Sen. Broome, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 451: Senators Broome, N. Gautreaux, and Jackson.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 451: Reps. Jackson, Durand, and Morrish.

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 453 by Sen. Malone, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 583 by Sen. Fontenot, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 583: Senators Fontenot, Amedee, and Murray.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 583: Reps. Damico, Wooton, and Martiny.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 28
Returned without amendments

House Concurrent Resolution No. 72
Returned with amendments

House Concurrent Resolution No. 151
Returned without amendments

House Concurrent Resolution No. 191
Returned without amendments

House Concurrent Resolution No. 206
Returned without amendments

House Concurrent Resolution No. 216
Returned without amendments

House Concurrent Resolution No. 240
Returned without amendments

House Concurrent Resolution No. 268
Returned without amendments

House Concurrent Resolution No. 281
Returned without amendments

House Concurrent Resolution No. 293
Returned without amendments

House Concurrent Resolution No. 295
Returned without amendments

House Concurrent Resolution No. 301
Returned without amendments

House Concurrent Resolution No. 302
Returned without amendments

House Concurrent Resolution No. 303
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 273
Returned without amendments

House Bill No. 287
Returned with amendments

House Bill No. 310
Returned without amendments

House Bill No. 492
Returned without amendments

House Bill No. 493
Returned without amendments

House Bill No. 518
Returned with amendments

House Bill No. 591
Returned without amendments

House Bill No. 624
Returned with amendments

House Bill No. 761
Returned with amendments

House Bill No. 762
Returned without amendments

House Bill No. 763
Returned without amendments

House Bill No. 935
Returned with amendments

House Bill No. 999
Returned with amendments

House Bill No. 1018
Returned without amendments

House Bill No. 1029
Returned without amendments

House Bill No. 1082
Returned without amendments

House Bill No. 1083
Returned with amendments

House Bill No. 1160
Returned without amendments

House Bill No. 1225
Returned without amendments

House Bill No. 1239
Returned without amendments

House Bill No. 1250
Returned without amendments

House Bill No. 1276
Returned without amendments

House Bill No. 1287
Returned with amendments

House Bill No. 1333
Returned with amendments

House Bill No. 1378
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 130, 131, and 135

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 115

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 14, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 67, 178, 221, 237, 238, 246, 490, 578, 621, 623, 634, 635, 654, 659, 681, and 733

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 111—

BY REPRESENTATIVE WALSWORTH

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Marine Corporal Chad Powell.

Read by title.

On motion of Rep. Walsworth, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 112—

BY REPRESENTATIVES MARTINY AND ANSARDI

A RESOLUTION

To commend St. Elizabeth Ann Seton Parish in Kenner upon the celebration of its twenty-fifth anniversary.

Read by title.

On motion of Rep. Martiny, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 113—

BY REPRESENTATIVE DURAND

A RESOLUTION

To commend Patricia Angelico Faxon on more than thirty-two years of outstanding service and dedication to the state of Louisiana, the former Department of Health and Human Resources, and the Department of Health and Hospitals, more recently as the director of Legislative and Intergovernmental Relations, and to congratulate her on the occasion of her much deserved retirement.

Read by title.

On motion of Rep. Durand, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 114—

BY REPRESENTATIVE SALTER

A RESOLUTION

To commend Dr. Ken Ward for his excellent and dedicated service to the House of Representatives of the Legislature of Louisiana.

Read by title.

On motion of Rep. Salter, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 115—

BY REPRESENTATIVES CRANE, WALKER, QUEZAIRE, AND WALSWORTH

A RESOLUTION

To commend and to encourage continued participation in the America's Legislators Back to School Program, sponsored by the National Conference of State Legislatures.

Read by title.

On motion of Rep. Crane, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 116—

BY REPRESENTATIVES KLECKLEY, CRAVINS, DURAND, ROBIDEAUX, PINAC, FRITH, HEBERT, JOHNS, GEYMAN, E. GUILLORY, MORRIS, ALEXANDER, TRAHAN, BAUDOUIN, PIERRE, AND ROMERO

A RESOLUTION

To urge and request the University of Louisiana at Lafayette and McNeese State University to play an annual football game against each other.

Read by title.

On motion of Rep. Kleckley, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 306—

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To commend Mr. Paul Gravel for his many years of public service, for his contributions to the state of Louisiana, and for his current service as executive director of the LSU System, Division of Federal Affairs.

Read by title.

On motion of Rep. Daniel, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 307—

BY REPRESENTATIVE MONTGOMERY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Anthony G. "Tony" Sardisco of Shreveport.

Read by title.

On motion of Rep. Montgomery, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 308—

BY REPRESENTATIVE HARRIS

A CONCURRENT RESOLUTION

To urge and request the Jefferson Parish Council to establish the Manhattan Development District for the primary object and purpose of improving traffic flow on Manhattan Boulevard.

Read by title.

On motion of Rep. Harris, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 309—

BY REPRESENTATIVE FARRAR

A CONCURRENT RESOLUTION

To urge and request the Louisiana Gaming Control Board to place a moratorium on the transfer of riverboat gaming licenses and authorizations to relocate a riverboat's licensed berth.

Read by title.

On motion of Rep. Farrar, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Civil Law and Procedure

June 14, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

Senate Bill No. 569, by Murray
Reported with amendments. (9-0) (Regular)

Senate Bill No. 671, by Marionneaux
Reported favorably. (9-0) (Regular)

GLENN ANSARDI
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Retirement

Wednesday, June 14, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Retirement to submit the following report:

Senate Concurrent Resolution No. 94, by B. Gautreaux
Reported favorably. (7-0)

M.P. SCHNEIDER III
Chairman

**Report of the Committee on
Transportation, Highways and Public Works**

June 14, 2006

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 13, 2006, I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

Senate Bill No. 158, by McPherson
Reported with amendments. (6-5) (Regular)

ROY QUEZAIRE
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

June 14, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 47
Reported without amendments.

Senate Bill No. 331
Reported without amendments.

Senate Bill No. 597
Reported without amendments.

Senate Bill No. 676
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Privileged Report of the Legislative Bureau

June 14, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 158
Reported without amendments.

Senate Bill No. 204
Reported without amendments.

Senate Bill No. 569
Reported without amendments.

Senate Bill No. 671
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended in order to take up and consider Senate Concurrent Resolutions Reported by Committee at this time.

Senate Concurrent Resolutions Reported by Committee

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATORS B. GAUTREAUX, BOASSO, DARDENNE AND SHEPHERD

A CONCURRENT RESOLUTION

To authorize the board of trustees of the Louisiana State Employees' Retirement System to grant a cost-of-living increase to eligible benefit recipients; to provide for the maximum amount of such increase; and to provide for an effective date.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Schneider, the resolution was ordered passed to its third reading.

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Quezaire asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

SENATE BILL NO. 47—

BY SENATORS NEVERS AND AMEDEE

AN ACT

To enact R.S. 14:98(L) and R.S. 47:463.131, relative to motor vehicle license plates; to provide for a special license plate for DWI offenders; to require certain persons convicted of operating a vehicle while intoxicated to obtain and display a special DWI license plate; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 47 by Senator Nevers

AMENDMENT NO. 1

Change the author of the bill from Senator Nevers to Senator Schedler

AMENDMENT NO. 2

On page 1, line 2, delete "R.S. 14:98(L) and"

AMENDMENT NO. 3

On page 1, delete lines 3 through 5 in their entirety

AMENDMENT NO. 4

On page 1, line 6, delete "of the monies" and insert "to provide for the creation and issuance of Louisiana Thank You! license plates for owners or operators;"

AMENDMENT NO. 5

On page 1, delete lines 8 through 17 in their entirety

AMENDMENT NO. 6

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On page 2, delete lines 1 through 6 in their entirety

AMENDMENT NO. 7

On page 2, line 7, change "Section 2." to "Section 1."

AMENDMENT NO. 8

On page 2, delete lines 8 through 29 in their entirety

AMENDMENT NO. 9

On page 3, delete line 1 in its entirety and insert in lieu thereof the following:

"§463.131. Special prestige license plate; Louisiana Thanks You!

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate for Louisiana Thanks You! when the department has received a minimum of one thousand applications for such plate and upon the signing of a contract authorizing the use of the logo of the Louisiana Thanks You! Campaign. The license plate shall be restricted to passenger cars, pickup trucks, vans, and recreational vehicles. The license plate shall be of a color and design selected by the Louisiana Thanks You! Campaign directors, provided that it is in compliance with R.S. 47:463(A)(3).

B. The prestige license plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plate.

C. The charge for this special license plate shall be the standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana, plus a handling fee of three dollars and fifty cents which shall be retained by the department to offset administrative costs.

D. The secretary shall promulgate rules and regulations as are necessary to implement the provisions of this Section."

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 158— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:61, 63(A), and 141(D), to enact R.S. 32:79(3), and to repeal R.S. 32:62(A), relative to motor vehicles; to provide for removal of vehicles from the roadway following certain accidents and for traffic incident management which emphasizes motor vehicle traffic flow; to provide for the authority of the Department of Transportation and Development to increase or lower certain speed limits; to provide for utilization of the shoulders of certain roadways; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Engrossed Senate Bill No. 158 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 14, after "excess of" delete the remainder of the line and insert the following:

"fifty- five miles per hour except where a higher speed limit has been established on the highway by the"

AMENDMENT NO. 2

On page 2, line 3, after "excess of" delete the remainder of the line and delete line 4 in its entirety and insert the following:

"seventy miles per hour except where a higher speed limit has been established on the highway by the Department of Transportation and Development"

AMENDMENT NO. 3

On page 2, line 9, after "excess of" delete the remainder of the line and delete line 10 in its entirety and insert the following:

"sixty-five miles per hour except where a higher speed limit has been established on the highway by the Department of"

AMENDMENT NO. 4

On page 2, line 19, delete "design" and insert "operating"

AMENDMENT NO. 5

On page 3, delete lines 8 and 9 in their entirety and at the beginning of line 10, change "Section 5." to "Section 4."

AMENDMENT NO. 6

On page 3, line 17, after "(3)(a)" delete "Beginning July 1, 2007, if" and insert "If"

AMENDMENT NO. 7

On page 3, line 18, delete "on a highway" and insert "during daylight hours on a two-lane highway outside of an incorporated area"

AMENDMENT NO. 8

On page 4, line 19, change "Paragraph" to "Subsection"

AMENDMENT NO. 9

On page 4, at the beginning of line 22, change "Section 6.A." to "Section 5.A."

AMENDMENT NO. 10

On page 5, at the beginning of line 10, change "Section 7." to "Section 6."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Quezaire, the amendments were adopted.

On motion of Rep. Quezaire, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 204—

BY SENATORS CHEEK AND ELLINGTON

AN ACT

To amend and reenact R.S. 33:1981(C)(1) and (2) and 2201(C)(1) and (2) and to enact R.S. 11:248 and R.S. 33:2201(F), relative to financial security of survivors of certain firemen and law enforcement officers; to increase payments to surviving spouses and children in certain cases; to extend the period of time in which to notify the Law Enforcement Officers and Firemen's Survivor Benefit Review Board of such death; to provide for cost-of-living adjustments for surviving spouses of certain law enforcement officers; to provide for retroactive effect; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Baylor, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 331—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:95(G)(2) and to enact R.S. 40:1379.3.1(A)(3), relative to retired law enforcement officers; to provide for carrying concealed weapons by such persons; to provide for issuance of retiree identification to certain retired law enforcement officers; to provide for payment of concealed handgun permit fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 569—

BY SENATOR MURRAY

AN ACT

To enact R.S. 29:725.1, relative to the authority of the attorney general in certain emergencies; to authorize the issuance of cease and desist orders by the attorney general during an emergency; to provide for the power of the attorney general to issue cease and desist orders when immediate action through the normal judicial process is not possible; to provide for proper venue to request a hearing; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 569 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, change "enact R.S. 29:725.1" to "amend and reenact R.S. 29:734(A) and R.S. 51:1407"

AMENDMENT NO. 2

On page 1, line 3, change "the issuance of cease and desist orders" to "certain judicial action"

AMENDMENT NO. 3

On page 1, line 4, after the semicolon ";" delete the remainder of the line and delete line 5 in its entirety

AMENDMENT NO. 4

On page 1, line 6, delete "process is not possible;"

AMENDMENT NO. 5

On page 1, line 6, after "venue" delete "to request a hearing"

AMENDMENT NO. 6

On page 1, line 9, change "29:725.1 is hereby enacted" to "29:734(A) is hereby amended and reenacted"

AMENDMENT NO. 7

On page 1, delete lines 10 through 17 in their entirety and insert the following:

"§734. Violations; judicial relief; prima facie proof

A. Upon a violation of R.S. 29:732, the attorney general, district attorney, or parish attorney may bring the appropriate judicial action for an order enjoining or restraining commission or continuance of the alleged unlawful acts. In the event, the district court of proper venue is not operational due to the declared state of emergency, the action shall be brought in the Nineteenth Judicial District Court in the parish of East Baton Rouge or the operating judicial district court located closest in geographic distance thereto. In any such proceeding, the court may impose a civil penalty and, where appropriate, order restitution to aggrieved consumers.

* * *

Section 2. R.S. 51:1407 is hereby amended and reenacted to read as follows:

§1407. Restraining prohibited acts

Whenever the director and the attorney general have reason to believe that any person is using, has used, or is about to use any method, act, or practice declared by R.S. 51:1405 to be unlawful, the director may instruct the attorney general to bring an action for injunctive relief in the name of the state against such person to restrain and enjoin the use of such method, act, or practice. The action may be brought in the district court having civil jurisdiction in any parish in which such person resides, or is domiciled or has his principal place of business, or in any parish in which such person did business, or, with consent of the parties, may be brought in the district court of the parish where the state capitol is located. In the event these district courts are not operational due to a declared state of emergency, the action shall be brought in an operating judicial court located closest in geographic distance to the Nineteenth Judicial District Court in the parish of East Baton Rouge. In the event that such person was located outside of the state, but was soliciting in the state by mail, telephone, or any electronic communication, the action may be brought in the district court having civil jurisdiction in the parish in which the contact was made. It being against the public policy of the state of Louisiana to allow a contractual selection of venue or jurisdiction contrary to the provisions of the Louisiana Code of Civil Procedure, no provision of any contract which purports to waive these provisions of venue, or to waive or select venue or

jurisdiction in advance of the filing of any civil action, may be enforced against any plaintiff in an action brought in these courts. These courts are authorized to issue temporary restraining orders or preliminary and permanent injunctions to restrain and enjoin violations of this Chapter, and such restraining orders or injunctions shall be issued without bond.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

AMENDMENT NO. 8

Delete pages 2 and 3 in their entirety

Reported without amendments by the Legislative Bureau.

On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 597—

BY SENATOR DARDENNE

AN ACT

To enact Part III of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:44 through 51, relative to public records; to provide for confidentiality of the addresses of registered voters who are victims of abuse; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 597 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "enact" insert "R.S. 18:154(F), 1303(H), and"

AMENDMENT NO. 2

On page 1, line 3, change "51," to "49,"

AMENDMENT NO. 3

On page 1, delete line 4, and insert the following:

"a program for maintaining the confidentiality of the residential addresses of program participants; to provide for procedures for applying for such program; to authorize the secretary of state to certify an applicant's participation in the program; to provide for the misdemeanor of false application to the program; to provide for penalties for the misdemeanor; to provide relative to cancellation from the program; to authorize the secretary of state to designate a substitute address for program participants; to authorize a program participant to use the substitute address in filings to a state or local

agency in certain circumstances; to authorize the secretary of state to determine the circumstances in which a substitute address may be used; to provide for a program participant who is a registered voter to be eligible to vote absentee by mail; to prohibit a program participant from voting in person at the polls on election day or during early voting; and to"

AMENDMENT NO. 4

On page 1, line 8, change "51" to "49"

AMENDMENT NO. 5

On page 1, delete lines 9 through 17, and delete pages 2 through 5 and on page 6, delete lines 1 through 18 and insert the following:

"PART III. ADDRESS CONFIDENTIALITY ACT

§44. Definitions

As used this Part, the following terms shall have the meanings hereinafter ascribed to each, unless the context clearly indicates another meaning:

(1) "Abuse" means causing or attempting to cause physical harm, placing another person in fear of physical harm, or causing another person to engage involuntarily in sexual activity by force, threat of force, or duress, when committed by any of the following:

(a) A person against such person's spouse.

(b) A person against such person's former spouse.

(c) A person residing with the victim if such person and the victim are or were in a dating relationship.

(d) A person who formerly resided with the victim if such person and the victim are or were in a dating relationship.

(e) A person against a parent of such person's child, whether or not such person and the victim have been married or resided together at any time.

(f) A person against a person with whom such person is in a dating relationship.

(g) A person against a person with whom such person formerly was in a dating relationship.

(h) A person related to the victim by consanguinity or affinity.

(2) "Dating relationship" means an intimate or sexual relationship.

(3) "Physical address" means a residential street address, school address, or work address of a program participant.

(4) "Program participant" means a person currently certified as a program participant under R.S. 44:45.

(5) "Sexual assault" means any of the acts defined as crimes in R.S. 14:41, 42, 42.1, 43, 43.1, 43.2, 43.3, and 43.5.

(6) "Stalking" means the acts defined as crimes in R.S. 14:40.2.

(7) "Substitute address" means an address designated to a program participant by the secretary of state.

§45. Address confidentiality program; application; certification; substitute address; renewal; prohibited acts; penalties

A. (1) The Louisiana Department of State Address Confidentiality Program is hereby established to provide for the confidentiality of the physical addresses of program participants who are victims of abuse, sexual assault, or stalking.

(2) The secretary of state shall promulgate and adopt rules as necessary to effectuate the provisions and purposes of this Part. Any act or omission of the secretary of state in the implementation of the provisions of this Part shall be reviewable upon filing a petition for judicial review in the Nineteenth Judicial District Court.

(3) The following persons may make application to the secretary of state to participate in the address confidentiality program:

(a) Any person who is a victim of abuse, sexual assault, or stalking and fears for his or her safety.

(b) A parent on behalf of his minor child, which child is the victim of abuse, sexual assault, or stalking, and for whom the parent fears for the safety.

(c) A guardian on behalf of a minor or incapacitated person in his care, which minor or incapacitated person is a victim of abuse, sexual assault, or stalking, and for whom the guardian fears for the safety.

(4) An application to the secretary of state for certification to participate in the address confidentiality program shall include the following:

(a) A sworn statement by the applicant attesting that the applicant has good reason to believe:

(i) That the applicant or the minor or incapacitated person on whose behalf the application is made is a victim of abuse, sexual assault, or stalking; and

(ii) That the applicant fears for his or her safety, or the safety of the minor or incapacitated person on whose behalf the application is made.

(b) A designation of the secretary of state as agent for purposes of service of process and receipt of mail.

(c) The mailing address and the telephone number or numbers where the applicant can be contacted by the secretary of state.

(d) The physical address or addresses that the applicant requests not be disclosed for the reason that disclosure will increase the risk of abuse, sexual assault, or stalking.

(e) A statement attesting that the applicant understands that as program participant, if he is a registered voter, he voluntarily waives his right to vote in person during early voting or at the polls on election day, but is eligible to vote absentee by mail.

(f) The signature of the applicant and the signature of any person who assisted the applicant in completing the application, as authorized in R.S. 44:49.

B.(1) Applications shall be filed in the office of the secretary of state.

(2) Upon the filing of a properly completed application, the secretary of state shall certify the applicant as a program participant. Such certification shall be valid for four years following the date of filing unless the certification is cancelled. The secretary of state may establish a renewal procedure for program participants by administrative rule in accordance with the Administrative Procedure Act. The secretary of state shall designate a substitute address to

each program participant. The secretary of state shall forward all first-class mail to each program participant's substitute address.

(3) A person who falsely attests in an application that the applicant or the minor or incapacitated person on whose behalf the application is made is a victim of abuse, sexual assault, or stalking, or falsely attests that the applicant fears for his or her safety, or the safety of the minor or incapacitated person on whose behalf the application is made, or who knowingly provides false or incorrect information upon making an application, is guilty of a misdemeanor and shall be fined not more than one thousand dollars or be imprisoned for not more than one year, or both. On a second offense, or any succeeding offense, the penalty shall be a fine of not more than two thousand five hundred dollars or imprisonment for not more than five years, or both.

§46. Cancellation of certification

A.(1) If a program participant or the minor or incapacitated person on whose behalf the application is made legally changes his name, he shall notify the secretary of state's office within seven days of the approval of the name change and provide documentation of the legal name change. If the applicant fails to timely notify the secretary of state's office or cannot provide documentation of the legal name change, the secretary of state may cancel his certification as a program participant.

(2) If a program participant or the minor or incapacitated person on whose behalf the application is made changes any of his physical addresses, he shall notify the secretary of state's office within seven days of the change. If the applicant fails to timely notify the secretary of state's office of the address change, the secretary of state may cancel his certification as a program participant.

(3) The secretary of state may cancel certification of a program participant if mail forwarded to the program participant's substitute address is returned as undeliverable.

(4) The secretary of state shall cancel the certification of a program participant who makes a false attestation or provides false information on his or her application.

(5) The secretary of state shall cancel the certification of a program participant if such participant qualifies as a candidate for an office pursuant to the provisions of R.S. 18:461.

B. Prior to cancelling the certification of a program participant, the secretary of state shall attempt to notify the program participant in writing of such action.

§47. Substitute address; use

A.(1) A program participant may inform any state or local agency that he is a program participant and request that such agency use the substitute address designated by the secretary of state as the participant's address of record for such agency. If any agency refuses to accept the substitute address, such agency shall submit its refusal to the secretary of state's office.

(2) If the secretary of state's office determines that there is a bona fide statutory or administrative requirement which makes necessary the use of the program participant's physical address, and that such address will not become a public record in the custody of the agency, then the secretary of state may provide the physical address of the program participant to the agency, after notifying the program participant in writing that his or her physical address will be released to the agency.

(3) If the secretary of state's office determines that there is not a bona fide statutory or administrative requirement which makes necessary the use of the program participant's physical address, or

that such address will become a public record in the custody of the agency, then the secretary of state shall not provide the physical address of the program participant to the agency.

B. The secretary of state's office shall notify the appropriate registrar of voters of the identity of any program participant within the parish and provide the program participant's substitute address. The Department of State and the registrars of voters shall use the substitute address for all purposes related to voter registration and voting. The program participant's name and physical address contained in the voter registration records are confidential and shall not be made available for public inspection or copying except under the following circumstances:

(a) If requested by a law enforcement agency, to the law enforcement agency.

(b) If directed by a court order, to a person identified in the order.

(c) If the program participant's certification is cancelled by the secretary of state. The secretary of state shall notify the appropriate registrar within thirty days of the cancellation of a program participant's certification.

§48. Secretary of state; use of substitute address; exceptions

The secretary of state shall not make any records in a program participant's file available for inspection or copying, other than the substitute address designated by the secretary of state, except under any of the following circumstances:

(1) If requested of the secretary of state by the chief commanding officer of a law enforcement agency or the officer's designee in the manner provided for by rules adopted and promulgated by the secretary of state in accordance with the Administrative Procedure Act.

(2) To a person identified in a court order upon the receipt by the secretary of state of that court order which specifically orders the disclosure of a particular program participant's address and the reasons stated therefor.

(3) To verify the participation of a specific program participant, in which case the secretary of state may only confirm or deny information supplied by the requestor.

§49. Program participants; application assistance

The secretary of state shall designate state and local agencies and nonprofit organizations which may assist victims of abuse, sexual assault, or stalking in making application to the secretary of state's office for certification as program participants.

Section 2. R.S. 18:154(F) and 1303(H) are hereby enacted to read as follows:

§154. Records open to inspection; copying; exception

* * *

F.(1) Notwithstanding any provision of this Section to the contrary, the registrar shall not disclose the name and physical address of a program participant in the Department of State Address Confidentiality Program, as provided in R.S. 44:44 et seq.

(2) Notwithstanding any provision of this Section to the contrary, the Department of State shall not disclose the name and physical address of a program participant in the Department of State Address Confidentiality Program, as provided in R.S. 44:44 et seq.

* * *

§1303. Persons entitled to vote in compliance with this Chapter

* * *

H. A person who is a program participant in the Department of State Address Confidentiality Program pursuant to R.S. 44:45 may vote absentee by mail upon meeting the requirements of this Chapter. The program participant's substitute address shall be used for all purposes relative to voter registration and voting. A program participant's name and physical address shall not be included on any list of registered voters available to the public. A program participant shall not vote during early voting or in person at the polls on election day."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 671—

BY SENATOR MARIONNEAUX

AN ACT

To enact Code of Civil Procedure Art. 372(F), relative to civil procedure; to require that an electronic copy of the transcript be provided to party requesting and paying for paper copy of transcript; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Ansardi, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 676—

BY SENATOR HINES AND REPRESENTATIVE WALKER

AN ACT

To amend and reenact R.S. 30:2000.2(1), relative to the Atchafalaya Basin Program; to provide certain definitions; to provide relative to the definition of "Atchafalaya Basin"; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Bill No. 676 by Senator Hines

AMENDMENT NO. 1

On page 1, line 13, after "Project." delete the remainder of the line and delete lines 14 through 17 in their entirety and on page 2, line 1, delete "and west guide levees."

AMENDMENT NO. 2

On page 2, line 4, delete "above" and after "parishes" insert "of Assumption, Avoyelles, Iberia, Iberville, Pointe Coupee, St. Landry, St. Martin, or St. Mary"

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Privileged Report of the Committee on Enrollment

June 14, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 108—

BY REPRESENTATIVE BARROW

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the fiscal impacts of the creation of the Central community school system on the East Baton Rouge Parish school system and other school systems in the state and to submit a report of its findings in writing to the House Committee on Education and the Senate Committee on Education and to make such report available to the public by not later than September 30, 2006.

HOUSE RESOLUTION NO. 109—

BY REPRESENTATIVE WALKER

A RESOLUTION

To commend the Society for Consulting Psychologists and the Society for Industrial and Organizational Psychology, divisions of the American Psychological Association, for sponsoring the Katrina Aid and Relief Effort (KARE), to express appreciation to Louisiana State University at Alexandria, the A.B. Freeman School of Business at Tulane University, and the Department of Psychology at the University of New Orleans, KARE co-sponsors, and to recognize these groups for their humanitarian efforts.

HOUSE RESOLUTION NO. 110—

BY REPRESENTATIVE FRITH

A RESOLUTION

To commend the staff members of the Louisiana Rural Water Association for their outstanding response to Hurricanes Katrina and Rita.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 14, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 292—

BY REPRESENTATIVES WADDELL AND M. POWELL

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Health Sciences Center (LSUHSC) to develop a regional forensics facility for north Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 294—

BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To commend the Gathering of Eagles project and to urge and request that all Eagle Scouts in the Southeast Council of the Boy Scouts of America join the Gathering of Eagles.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 14, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 284—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 37:683(B)(3) and 693(B)(4)(b), relative to the professional engineering and land surveying board; to provide for expiration of appointments; to provide for minimum requirements for licensure; and to provide for related matters.

HOUSE BILL NO. 414—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Code of Civil Procedure Article 1916, relative to judgments; to provide for the preparation of judgments; to provide delays; to provide for the signing of judgments; and to provide for related matters.

HOUSE BILL NO. 448—

BY REPRESENTATIVE MARCHAND

AN ACT

To enact R.S. 9:3509.4, relative to deferments on loans; to authorize the expenditure of funds during certain emergencies or disasters to facilitate communication of certain information; to require a lender to obtain written approval of borrowers prior to certain deferments granted due to a declared disaster or emergency; to provide for an effective date; and to provide for related matters.

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HOUSE BILL NO. 604—

BY REPRESENTATIVES M. POWELL, LANCASTER, AND SCHNEIDER
AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, and other proposition elections; and to provide for related matters.

HOUSE BILL NO. 1203—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 42:1102(22)(a)(introductory paragraph), relative to ethics; to provide the definition of "thing of economic value" for the purposes of the Code of Governmental Ethics; to exclude certain pharmaceutical samples, medical devices, medical foods, and infant formulas under certain limited circumstances from such definition; and to provide for related matters.

HOUSE BILL NO. 1266—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact Code of Civil Procedure Article 2640 and 2721(A), relative to executory proceedings; to delete inconsistent provisions relative to service of the notice of demand for payment; and to provide for related matters.

HOUSE BILL NO. 1314—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 22:191(5)(d) and (e), (14)(introductory paragraph), and (18)(b), 192(A)(5) and (B), 195, and 197(C)(1) and to enact R.S. 22:191(5)(f), 192(C), 197(D)(5), and 200.1, relative to viatical settlements; to provide with respect to definitions; to provide relative to revocation or denial of licensure as a viatical settlement provider, viatical settlement broker, or viatical settlement investment agent; to provide with respect to prohibited practices; to provide relative to fraud prevention and control; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 1341—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 40:2268.2, relative to the Southeast Regional Criminalistics Laboratory Commission; to provide relative to the domicile of the commission; to authorize the commission to contract with an existing public or private laboratory; and to provide for related matters.

HOUSE BILL NO. 1366 (Substitute for House Bill No. 168 by Representative Jack Smith)—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(A)(2)(a), relative to orders for costs and fines; to provide that orders for costs and fines are deemed to be civil money judgments in the same manner as provided for orders for restitution; and to provide for related matters.

HOUSE BILL NO. 1367 (Substitute for House Bill No. 618 by Representative Martiny)—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:306(A)(4)(b)(introductory paragraph) and (7)(a), relative to the Video Draw Poker Devices Control Law; to provide for the determination of the number of video draw poker devices operated at truck stops based upon average annual fuel sales; to provide for the operation of twenty-five video draw poker devices at new truck stop facilities for ninety days without average fuel sale requirements; to provide for average monthly fuel sales determinations followed by annual

average fuel sale determinations after twelve months of operation; and to provide for related matters.

HOUSE BILL NO. 1389 (Substitute for House Bill No. 1288 by Representative Gray)—

BY REPRESENTATIVE GRAY AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:4175, relative to public power authorities; to provide relative to the purpose and governing board of certain public power authorities; to provide relative to the powers granted to such authorities; and to provide for related matters.

HOUSE BILL NO. 1393 (Substitute for House Bill No. 489 by Representative Jefferson)—

BY REPRESENTATIVES JEFFERSON, GALLOT, AND LANCASTER

AN ACT

To enact R.S. 18:135.1, relative to voter registration; to require the secretary of state to examine issues related to changing the close of voter registration and to report to the House and Senate Governmental Affairs Committees whether it would be feasible to change the voter registration deadline; to authorize the secretary of state to develop and implement a plan relative to changing the voter registration deadline if he reports that it is feasible to do so; to require and provide for gubernatorial and legislative approval of such plan prior to implementation; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Leave of Absence

Rep. Winston - 1 day

Rep. Wooton - 1 day

Adjournment

On motion of Rep. Kenney, at 7:02 P.M., the House agreed to adjourn until Thursday, June 15, 2006, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, June 15, 2006.

ALFRED W. SPEER
Clerk of the House